CONFLICT AND CONSPIRACY IN WYOMING

TRUE WEST

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From The Editor

Westerners, those who come from pioneer families at least, still bear the scars of the terrible toll western migration took on the pioneers. But the scars are disappearing and in another generation will be gone.

To understand the unusual evolution which has taken place over the last 100 years, we have to go back to the beginning, roughly the years 1810 (following the Lewis and Clark Expedition) to the turn of the century when the great migration was over and the land in the West largely taken. Some movement west occurred after that of course, but the bulk of migration was over.

Those who went west were either the most naive, most optimistic, most foolish or most hardy of their communities in the East. By the time they got to the West only the most hardy survived.

These men and women had tremendous determination and fortitude, in some cases born of desperation and in others of adventure. In almost every case, they sought a better life than they thought they would have had in the East. They did not often find it.

Whether in the long run, for the generations of their families that followed, it was worth it is difficult to say. To this day the East has dominated the West, politically and every other way. The East has exploited the West, the flow of money has been from Montana to Manhattan, not the other way around.

The brothers and sisters left behind did not have to face the rigors of tumultuous weather, fierce Indian depredations, lack of sanitation and supplies and thus did not experience the ordeal of pioneering their westering siblings endured.

As a result, they could plant crops, reap the harvest, and get on with their lives in an orderly fashion — despite the great interrupting trauma of the Civil War. Their children were attending Ivy League colleges, working in stores, enjoying the benefits of, as well as the discomforts of, the industrial revolution.

They made fair wages, built strong two-story frame houses and improved their inheritance.

But while this was going on in the East, in the West, by and large the struggle continued for at least another generation and even two. I know that in my own case my paternal grandparents pulled up stakes from well-settled and prospering eastern Nebraska and became western mining camp followers.

My grandmother ran tent-hotels in several raw Montana mining camps; my grandfather always thought he could find the Mother Lode. He never did, of course, he didn't find much gold at all.

My maternal grandfather left the granite of New England at age 16 and walked west. He became a cowboy, then a ranch foreman, and finally he owned his own ranch. But the struggle that took him that far, the sacrifices that were needed, seem almost superhuman to someone of today's experiences.

These struggles and the terrible poverty left scars on my pioneering grandparents and on their children. The continous economic battering that was the lot of most pioneers left them cautious, afraid to venture boldly in an increasingly complex world. It will take another generation or two for these scars to be erased, for the memories to die.

That such memories die is certain. We have only to look at the Irish who suffered a calamitous and persistent famine. They fled by the millions, including my own great-great-grandparents, to the New World.

Though each generation of Irishmen improved on the last, they had so very far to go that by my grandfather's time there was still the memory of those terrible years of famine. And even my father harbored emotions attached to that awful time. My generation of Irish do not know and can't really understand what it was like for them. But the scars of the Irish famine, now four generations later, have been erased.

What we know of those years we know through legend and song and that is how the struggles of the pioneers also will pass on to other generations. About one more generation and the memories of pioneer hardships will be gone.

So what does this mean to us? It means that those of us who care about the past must make sure in every way we can that younger generations are not only entertained by the harsh past, but they learn to *understand* it so that they will never have to go through it themselves.

Each generation hopes the next will not have its own hardships. But it does not hurt, in fact it can only be beneficial, that the next generation know the suffering that went on before; that got them to where they are.

Great Range War. Roger Hawthorne is studying in detail the great range war which raged over much of the Rocky Mountain West in the last years of the 19th Century. We are only beginning now to perceive how vast and how complex it was. We are beginning to see, for example, that the famous Johnson County War of 1892 in Wyoming was but the tip of the iceberg.

But that is another story. We now break into Roger's studies with one aspect of this war, one battle which we call "Conflict and Conspiracy: The Events Which led to the Johnson County War of 1892." This story focuses on the lynching of Tom Waggoner.

Out of the maelstrom of these events emerged the modern Rocky Mountain West, with big and successful ranches, booming cities and an exciting lifestyle. But those who live there should know of the bitter, bloody struggle that occurred before they got to where they are.

Check in and Rest Forever. Dr. Carl Jameson returns with an intriguing tale of a roadside inn in Arkansas, the Inn at Happy Bend, where a weary traveler could find food and conversation. The only trouble was the guests kept disappearing.

Other stories. Judy Alter of Fort Worth, Texas, has written many articles for us on western art and returns this issue with one on the Texas Cowboy Artists Association. Judy, editor at Texas Christian University Press, notes the association has helped improve the

(continued on page 7)

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OUR COVER

This colorful painting called "The Gentle Nudge" was done by Montana artist Fred Fellows. It is being used to illustrate our special cowboy and ranching issue. Fellows, a native of Ponca City, Oklahoma, was a saddlemaker and cowboy before he became an artist. He is past president of the Cowboy Artists of America. He resides on Flathead Lake in Montana.

Manuscripts, artwork and photographs will be treated with care, but their safety while in our hands is not guaranteed. Enclose stamped, self-addressed envelope of sufficient size for return with all submissions. Mail to 700 East State St., Iola, WI 54990. Copyright 1983 by Krause Publications.

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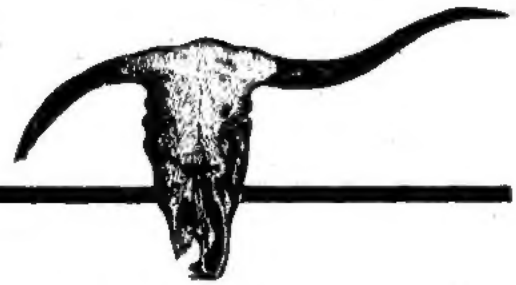
Truly Western



Breaking a Man First

As a kid I had an uncle who worked for a number of ranches in Texas and broke a lot of horses. But I don't think Uncle Robert Gould ever considered himself a rodeo hand as we think of them in shows of today. His main job was getting the horses broken to be cow horses.

One night when he was visiting our family in Killeen, Texas (this was in the 1920s when I was a kid), he told me about working on a ranch in the Big Bend country near the Mexican border.

He was trying to break a horse and he had ridden quite a way from the ranch house. The old horse bucked at intervals and at times would go along gently. Near the Rio Grande the old bronc embarked on a series of bucking sprees that left both him and Uncle Robert exhausted.

Uncle Robert had securely wrapped his bucking rein around his wrist in case the bronc threw him so that he would not be left in desolate country. Just after dark the old horse finally unloaded him and he lay unconscious in the trail.

Uncle Robert said when he awoke the moon was shining and he was lying in the trail with the old bronc standing over him, completey exhausted. Somehow he managed to get to his feet, mount up and guide the worn-out horse back to the ranch.

To a young freckled-faced kid this was an exciting story and I could just picture the horse exhausted standing over the unconscious figure of Uncle Robert! — **Frank V. Hash, Box 136, Rogers, TX 76569.**

More on Yocum

Referring to your story in December TRUE WEST, "Lost Silver Mine in Missouri," I want to tell you the information I have.

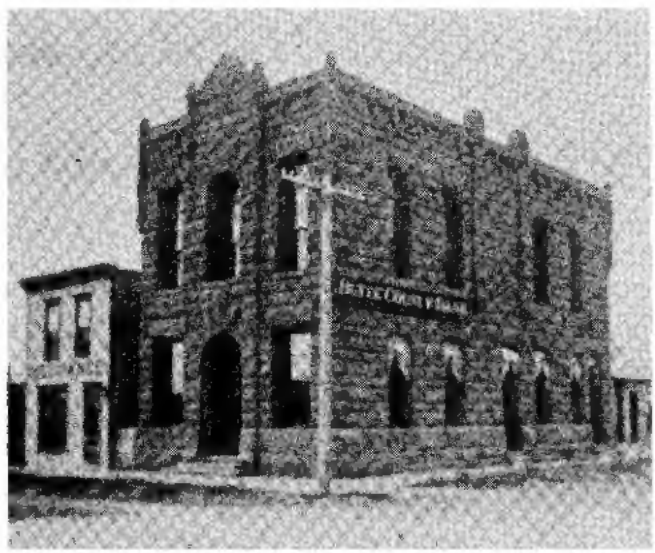
Since 1965 I have heard various stories of the Yoachum or Yocum family and mine, also called Taylor or Aylor or Avery mine. All of these stories come back to the same story, regardless of the name it is told under.

They start off with an area by a river or close to one. I found a mountain with five saw teeth, then arrows, then snakes and the last sign was a hand. There is proof of a cave, a smelter, a furnace and slag found there.

All around are scars from miners' picks and the place looks like it was mined out. At one place there was a man-made trench or a long grave where something is or was buried. Due east from this area is a lead mine.

If Yocum didn't come this far someone sure did a lot of digging and burning for something. This area has filled up due to erosion but could be reopened.

Now I would like to get some reliable proof of this Yocum mine and dollars. If you would print my letter I would be gladto hear from anyone about these stories and will try to answer most questions that I know anything about. — **Homer Vandiver, Box 645, West Plains, MO 65775.**



Butte County Bank in Belle Fourche, South Dakota, robbed by the Wild Bunch.

Butch Cassidy Gang

In the January 1983 TRUE WEST, you published an account of the bank robbery in Belle Fourche, South Dakota. It was staged by the Butch Cassidy gang and you told of the outlaws' subsequent arrest, break from jail and escape. My Uncle Frank Elisha Bennett was involved.

Uncle Frank was a resident of Belle Fourche, at least from 1890 to 1916, perhaps earlier and in the early 1930s he recountd that incident to me more than one time. Since I knew nothing of Butch Cassidy, the name of the gang made little impression on me.

Uncle Frank did many things in Belle Fourche, mostly as a partner of his first cousin, Frank Cook, who owned a grocery store, a sheep ranch, a lumber yard and was editor of the Belle Fourche Bee.

He was a close friend of both Joe LeFors and his brother Bill, who was in some ways more colorful than Joe, according to Uncle Frank and my dad who spent more than a year living with his older brother. — **William C. Bennett, 5914 36th Ave. Court, Moline, IL 61265.**

Keep Records Public

I wanted to write and say I'm in total agreement with you in your December TRUE WEST editorial. It seems to me that all old records kept and maintained by the public, in public institutions, should be accessible to the public.

I also like to thank you and TRUE WEST for the wide range of subjects you cover. I have learned much about my own family from stories that ran in

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TRUE WEST and consider it to be a frontrunner as far as information for genealogical research.

A story that you ran is of particular interest to me, "Lost Silver Mine in Missouri," TRUE WEST December 1983. I am a great-great grandson of Jacob Yocham. — **Joel L. Orcutt, 709 N. Broadway, Geary, OK 73040.**

Better Deal Anyway

To withdraw TRUE WEST magazine from national newsstands may be justified due to increasing printing costs, etc.

As you have suggested, readers may subscribe to all three of your western magazines (TRUE WEST, OLD WEST and Hunter's Frontier Times) and then be assured of a copy when they come off the press.

I solved the "buying singly" problem long ago and subscribed. Now I don't have to worry about not receiving or getting one from the magazine rack. And it's a better cost-wise deal anyway!

I have never been disappointed with yourcontents even when I thought a copy might come along that wouldn't be the most interesting to me.

They've all been just great! — **Oran Nunemaker, Box 601, Glasco, KS 67445.**

Editor's Note: The new publisher has decided to keep TRUE WEST on newsstands even though to do so is costly. We have to agree with Oran that subscribing is a much better deal.

Worth Every Penny

I have only very recently become aware of TRUE WEST, through a friend who has been a follower of yours for at least two decades and has recommended your publication to me.

I am a collector of things "Old West" in flavor and am addicted to horseback riding too. So TRUE WEST appears to be a publication I will enjoy receiving. I have read your past two issues cover-to-cover and found them fascinating (an understatement).

You manage to produce a publication filled with information of interest to aficiandos of the Old West at a very low cost per year. I must say that I think you are providing a great service to many who might not be able to afford TRUE WEST at today's inflated prices. I don't know how you do it, but keep up the fine work. Your magazine is worth every penny you charge, and more, from what I have seen. — **James H. Blake Jr., 1971 Nott St., Schenectady, NY 12309.**

Lost Pen

In TRUE WEST October 1983, I read an article entitled "The Lost Wagon Train" by Robert Rybolt.

He wrote about the discovery of this lost wagon train by an army lieutenant and said that they found a writing desk and an ivory mounted pen. I have the pen that fits the description.

The pen was my mother's, but where she got it no one knows. She died in 1909 and I have carried the pen with me ever since. — **Glen E. Sarff, 812 Woodbury, Miles City, MT 59301.**

Familiar Photo

In your February 1984 issue of TRUE WEST you published some photos of Custer and his Yellowstone Expedition and the author, John M. Carroll, stated that they were photos that had been "lost" for over 100 years.

The top photo on page 30 of Custer and his scouts seemed familiar to me and I knew I had seen it before somewhere, so I got out some of my books and searched through until I found the one I was looking for. It was in Dee Brown's book, *The Westerners* published in 1974.

It brings into debate how many other photos of equal value have been "lost" or misfiled and will remain so until some writer does some research of his own and rediscovers them.

I have only just taken a subscription to your magazine and have already received my wonderful calendar and am looking forward to receiving more of your interesting magazines in the coming year. — **M. Whittington, 30 Place Side, Cowes, Isle of Wight, P031 7BB England.**

Editor's Note: As with most mistakes in this magazine, this one is the editor's, not Carroll's. Somehow that photo at top of page 30 got in with the other photos which *were* legitimately lost. That photo was taken on Custer's 1874 expedition to the Black Hills by Illingwroth and it has been reproduced many times. Carroll did not supply the photo; it came from our files. Carroll was as shocked as anyone to see it included.

A Very Few Men

Now I aint much on reading and little better on writing but I do like TRUE WEST. Sometimes I see one and buy it.

It seems that the whole West was built around a very few men. Well maybe that's becasue of old Ned Buntline. Now he took a few "pool hall hounds" and made big heroes out of them.

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Sure I'm sure they were pretty tough no accounts, but I wonder how long Wyatt Earp would have lasted in deep south Texas. Why they would have ate him for lunch.

Doc Holliday would have had his throat cut the first night in town. In fact, I was told by old timers Luke Short took his guns away and run him out of Texas.

Now I used to sit and listen to wild tales about the brush country around San Benito and Brownsville. I never heard of a fast draw, shotguns, rifles andknives. Sure they all wore sidearms but seldom used them. Bushwhacking and the like was the tales.

From 1900 to 1939 around La Paloma was rough. I can show you where I watched one hell of a gun battle in 1934 or 1935. I can show you where I found dead men in 1933.

You should get down there before they all die off and get some good stuff. Not any Wyatt Earps, Billy the Kids or the likes. Just plain "old Joes" that would eat those Buntline specials alive. **— Buck Trout, Box 507, Aransas Pass, TX 78336.**

Your letters and comments are welcome. Please keep letters to 300 words or less. All letters received by TRUE WEST will be considered for publication unless otherwise stipulated in the letter. Space does not permit us to print all letters we receive. Be sure to include full name, address and zip code. Photos welcome.

FROM THE EDITOR

(continued from page 3)

image of western art as well as the quality.

Scott McArthur of Monmouth, Oregon, discovered that one early Oregon county was so poor it could no longer afford to keep a prisoner. So it found the perfect solution: Auction him to the highest bidder!

We've had stories on such noteworthy frontier photographers as C. S. Fly and Otis Aultman, but we haven't said much about one of the greatest Indian photographers, diminuitive David Barry. Gene Prigge tells the story in this issue.

This is our special cowboy issue. In keeping with the theme, we have a warm recollection of how to make cowboy coffee and a couple of cowboy stories you are sure to enjoy.

The first, "Life of an Old Cowboy," came about this way. Nadine Willis Rice of Riverside, California, sent me a photostat copy of an old magazine article detailing her great uncle's life as a Colorado-Wyoming pioneer. I liked it so much I asked permission to reprint it and you've got it here.

The second is by Harley Henderson, a retired minister who spent his boyhood in Kansas. Harley wrote a long letter telling us how the West that he knew really was. He said sensational incidents of the type we often have in stories are not a true picture of the Old West.

"Although I enjoy TRUE WEST," he wrote, "many articles seem the exception rather than the rule." Then in several pages he proceeded to tell what the rule was. I asked him if I could turn his letter into a story and so we have it here, "How the West Really Was."

We have a lot of other good stories and columns in this issue so I hope you like it and return for a visit here next month.

— Jim Dullenty

8" x 10" Color Pictures reproduced from originals. New List sent of other stars with order.

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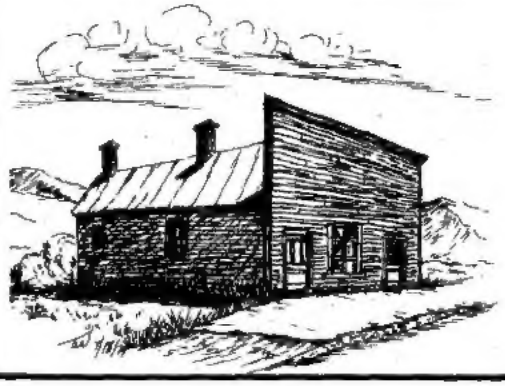
RON OLSON

A Family Western

THREE FOR THE BOBCAT



New Western Novell

"Three for the Bobcat" was written for a Louis L'Amour fan who complained, "He doesn't write as fast as I can read." If you enjoy such writers as Max Brand, Luke Short, Stephen Overholzer, and Frank Bonham, give Ron Olson a try.

Owen Bannack was a tall vigilante on a long journey to justice. Along the way he landed in the middle of an outlaw's nest. When he began carrying out the sentence of a vigilante court, there was bound to be an objection. There was, but he overruled it with a rope and a bold determination that shook Fred Mead to his fat socks. The storm that followed raged until the town of Frailey was as clean as a cloudburst of justice could make it. When Bannack left, some of the good folks left with him, and they all knew the journey would go on.

Order Form

Yes, I want to "meet" Ron Olson. Send me a copy of Three for the Bobcat. Enclosed is my check or money order for $3.50 (includes postage).

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Coming soon: "Long Drop at the Rusty Dime."

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Western Roundup

Fort Union to Celebrate Founding in July

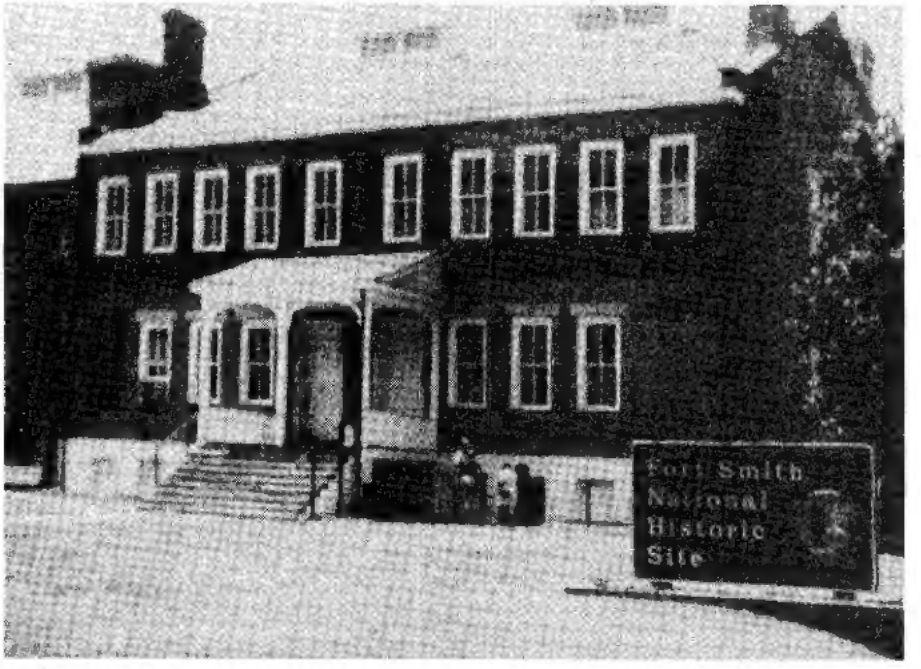
Venerable Fort Union, onetime guardian of the Santa Fe Trail in northeast New Mexico, will celebrate its founding in ceremonies and parades on July 28 and 29, 1984.

Founded on July 26, 1851, Fort Union, the largest fort in the Southwest, guarded westbound wagon trains on the Santa Fe Trail until 1891. The various branches of this trail merged at Watrous, New Mexico, about eight miles southeast of the fort.

The fort remains one of the few public places left in America where Old West buffs can actually stand in the wagon ruts of the Santa Fe Trail.

Fort Union is open free to the public from 8 a.m. to 6 p.m. daily this summer. The fort is located 26 miles northeast of Las Vegas, New Mexico. For more information write Las Vegas Chamber of Commerce, Box 148, Las Vegas, NM 87701.

(The Santa Fe trail can be seen at a few other places including a site one and a half miles southeast of the Plaza in Santa Fe, New Mexico, and south of the Philmont Scout Ranch near Cimarron, New Mexico).



Fort Smith, Arkansas.

Western Stars. Meet some of your favorite old-time western movie stars at the Memphis Film Festival at the Hyatt Regency Hotel in Memphis, Tennessee, on July 4, 5, 6 and 7.

Among the stars scheduled to appear are Bruce Boxleitner, star of TV's "Scarecrow and Mrs. King;" Richard Farnsworth, former stuntman of the 1940s and 1950s who is now a successful actor and star of the acclaimed "The Grey Fox," a recently released western movie, and Carol Forman, serial queen who was beautiful but deadly in "Superman," "Black Widow," and others and she did westerns at RKO with Tim Holt and James Warren.

Also set to appear are Doug McClure, who played the wild young cowhand on "The Virginian" TV series and star of several western movies; Fred Scott, who starred in 14 musical westerns between 1936 and 1942, and Harry Lauter, George J. Lewis, Gene Evans, Sheb Wooley, Huntz Hall, William Campbell, Eddie Dean and Marc Lawrence.

Registration is $40 single, $50 married couple.

Hanging Judge. If you're not escaping the gallows, like the outlaws of old, you may want to stop at Fort Smith, Arkansas, an historic spot 170 miles from Little Rock. Memories of "Hanging Judge" Isaac Parker linger where he hanged nearly a hundred men.

A small log stockaded fort was first built at this site in 1817, in an effort to keep the peace between the warring Osage and Cherokee tribes. The first fort was abandoned in 1824. A second fort was begun in 1838 when President Jackson's "Great Experiment" forced thousands of eastern Indians to move west. The new fort served as a supply post to the Indian country.

It then served as a vital link in the supply line to forts farther west. But its real claim to fame was Judge Parker who presided over some 13,000 cases between 1875 and 1896. As the only non-Indian court having jurisdiction over Indian Territory, Parker's court was busy. Of the 344 defendants tried for capital offenses, 79 were hanged.

The site is located on Rogers Avenue between Second and Third streets in downtown Fort Smith. The barracks building is open from 8:30 a.m. to 5 p.m. daily except Dec. 25 and Jan. 1. The Clayton House and a museum are two other sites to visit nearby.

Historic Trail Site. Fort Bridger in southwestern Wyoming was established as a trading post by Jim Bridger and his partner, Louis Vasquez, in 1843. Built near Black's Fork on the Green River, the post was a supply center for tra-

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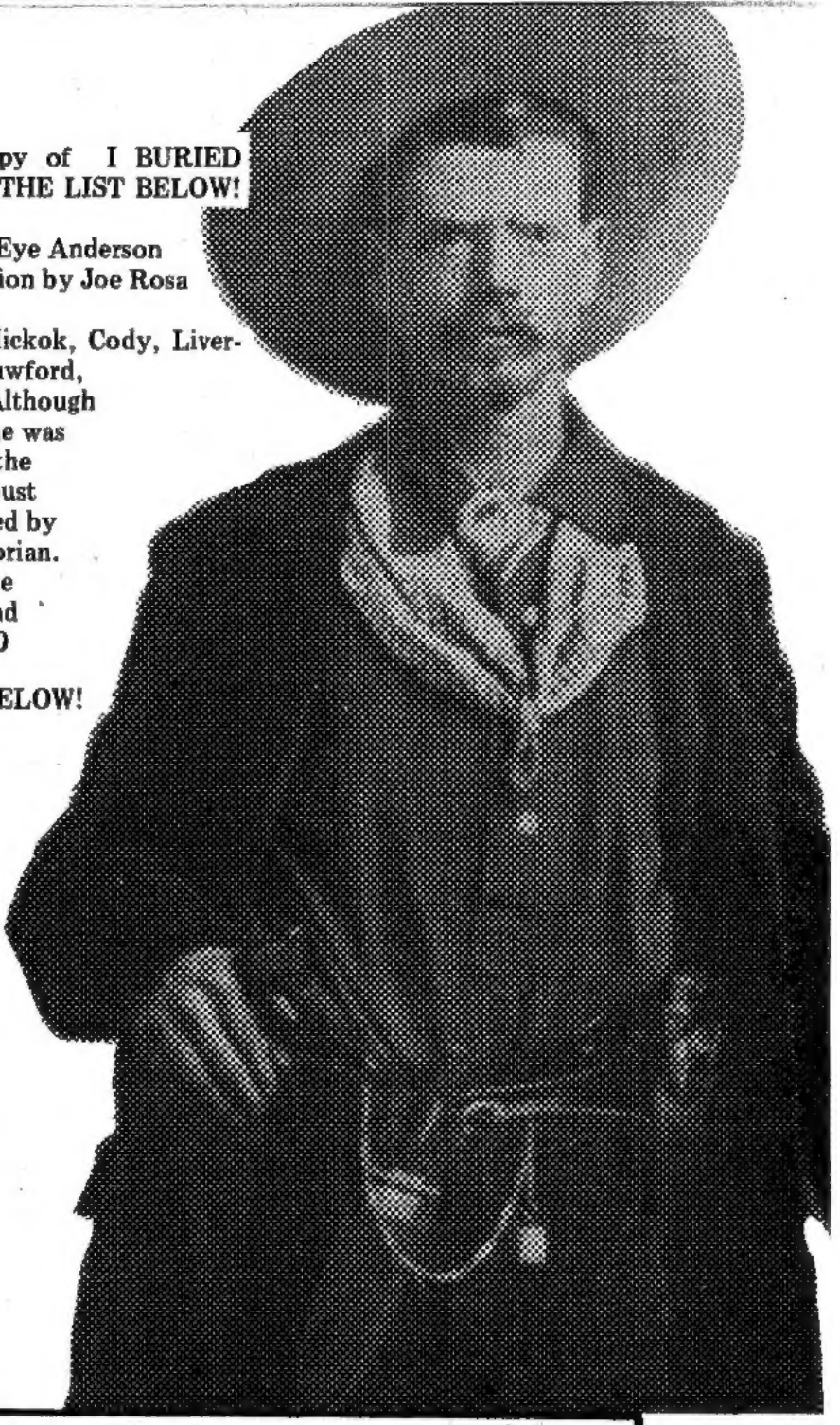
I BURIED HICKOK: The Memoirs of White Eye Anderson
Edited by William B. Secrest and Introduction by Joe Rosa



White Eye Anderson knew and lived with Hickok, Cody, Liver-eating Johnson, Charley Utter, Captain Jack Crawford, the James Boys, Doc Carver and many others. Although he was a friend of Hickok and was there when he was buried, he did much more. His memoirs record the activities of a hard-working young man on a robust frontier. Skillfully edited, annotated, and verified by William B. Secrest, a careful researcher and historian.

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Saving Custer's Field. Eight million dollars must be secured soon if some 9,000 acres surrounding the present Custer Battlefield National Monument in southeastern Montana is to be saved from commercial development.

That's according to Harold G. Stanton, president of the Custer Battlefield Preservation Committee Inc., which is trying to raise the money to purchase the land.

"Just about everybody has heard of Custer's Last Stand," Stanton said, "yet very few people know that this historic and scenic land is now threatened with building development."

Unless the lands are bought through the gifts of those who want to assure that they remain in their natural state, they will be subject to commercialization, Stanton said.

Gifts are tax-deductible and may be sent to the committee at Box 7, Hardin, MT 59034.

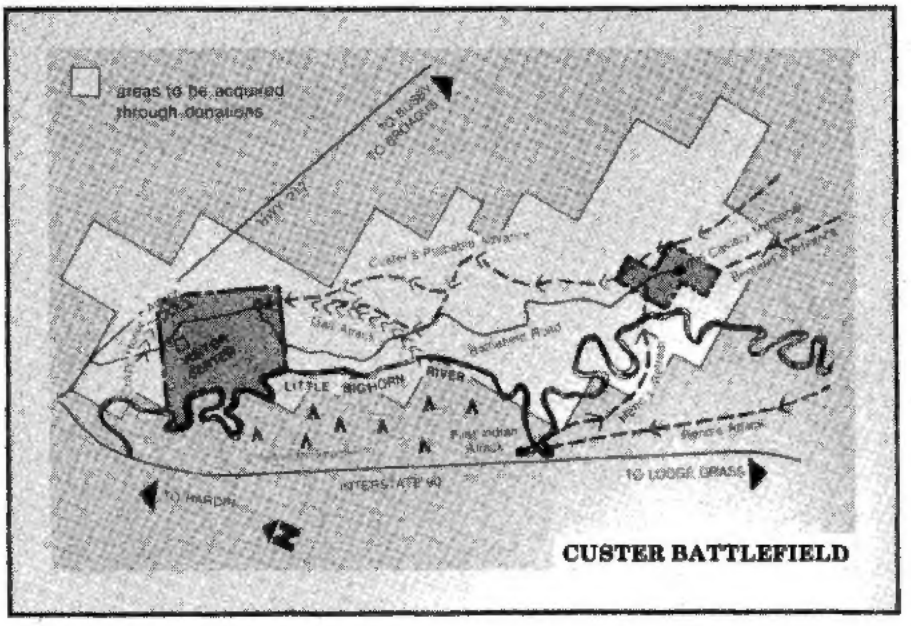
Mining Adventure. The World Museum of Mining is located in the old Orphan Girl Mine yard in Butte, Montana, which is known throughout the world as "the richest hill on earth."

Al Hooper, second vice president of the nonprofit organization that operates the museum, said the museum still has the original electric hoist from the mine and it is located in the engine room along with many mining displays.

An old western town has been recreated in the lower mine yard and the street of the town, called Hell Roaring Gulch, is paved with brick. There's a saloon, stores, school, jail and the buildings have the items in them (not for sale) from the early 1900s period.

Admission is free. The museum is operated on memberships and sales from a gift shop on the premises. The museum and old western town are open from March to November. Hooper said last year more than 100,000 tourists visited the two attractions.

Going Western is a report on places to go and things to see associated with the history of the Old West. Submissions are welcome. Information on scheduled events should be submitted at least six months prior to the event. Items on historic places are also welcome. Send information, including black and white photos, to: Going Western, Western Publications, Iola, Wisconsin 54990.



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REEL COWBOYS

Making Zane Grey Movies

By BILL O'NEAL

Zane Grey was a 31-year-old dentist when he published his first book in 1903, *Betty Zane*. Within a few years he was an incredibly successful western novelist and even today only the name of Louis L'Amour is as recognizable in the field of frontier fiction.

Forty-eight of Grey's books were made into motion pictures. His most famous western, *Riders of the Purple Sage*, was filmed four times. *The Last Trail* also was produced four times and so were *The Light of Western Stars* and *The Lone Star Ranger*. Fifteen of his westerns were filmed three times and 12 Zane Grey novels were produced twice.

Twentieth Century Fox bought movie rights to three of Grey's novels in 1917 and within two years the writer formed Zane Grey Productions to film his own books. However, the venture was not successful but from 1921 through 1928 Paramount lensed at least two Zane Grey westerns a year.

Riders of the Purple Sage was the first Zane Grey novel purchased for the screen. It was first filmed in 1917, but the most memorable version starred Tom Mix and was released in 1925.

Almost from the beginning Grey insisted on $25,000 per novel for movie rights. This fee was astronomical for the time, but Grey sometimes received as much as $50,000 from a studio for one of his books. With shrewd foresight he included a contract clause which sold screen rights for only seven years and he thus enjoyed repeat sales for many of his books.

Numerous Zane Grey westerns were filmed during the sound era. Gary Cooper was one rising star who was featured in roles familiar to Zane Grey readers and another tall, lean actor who found a future in these films was Randolph Scott.

Following stage appearances on the West Coast, Scott signed a Paramount contract in 1931, and the next year the studio began to feature him in their sound series of Zane Grey movies.

Scott starred in *Man of the Forest, Heritage of the Desert, Wild Horse Mesa, Sunset Pass, To the Last Man, The Thundering Herd* and *Rocky Mountain Mystery*. These films established Scott as an action star. Eventually he made a score of Zane Grey movies.

Grey died of a heart attack in 1939 at the age of 67. But his publishers had built up a backlog of his manuscripts and new Zane Grey titles were released for years after the author's death.

Many of these became films: *The Maverick Queen*, for example, was published in 1950 and six years later Barbara Stanwyck starred on the screen in the title role. To date this is the most recent of more than 100 films based on Zane Grey books, a record unmatched by any other author.

Randolph Scott in "Rocky Mountain Mystery" (1935).

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CONFLICT AND

This old photo of a horse herd in northern Wyoming's Powder River area is typical of such hords of that time.

DAWN comes early in the butte-studded country of southeastern Weston County, Wyoming. It came earlier still in the pre-daylight savings days of 1891. About an hour after sunup on June 4, 1891, three men rode up to the cabin of Thomas J. Waggoner.*

*Contemporary sources often spelled it "Wagoner." But the correct Germanic spelling is with two "g's."

One was a tall man, the only man who would speak all day. He had a cap pulled over his head, earmuffs covered his ears and goggles shrouded his eyes. Dark red hair jutted from under his cap accenting a flamboyant red moustache. He was clad in blue overalls and a black leather coat.

Rosa Waggoner would later say she believed the hair and moustache were fake.

With him were a silent middle-sized man who wore a bandana across his face, a black overcoat and black hat, and a third man who never dismounted all day but who appeared to be about five feet ten inches tall and a little paunchy. He had brown hair and beard with long moustache. The beard may have been fake. He too wore a black leather coat and blue overalls.

All three were astride bay horses leading a heavily loaded bay pack horse. Rosa would later say she saw no brands.

Tom Waggoner told his wife that he did not know any of them, but he never saw the faces of the three men. Despite their bandit-style dress, they caused the Waggoners no alarm. Men on roundup — the 101 Ranch's roundup camp was nearby — often wore goggles and bandanas against the dust.

The tall man asked if there was a gate in the fence to the east. Tom assured him there was and the three men rode away.

Two hours later, around 7 a.m., the three men rode back to the Waggoner cabin. Two sprang from their horses and charged into the kitchen. The masked man's hands were under his coat suggesting he had a gun aimed at Tom and Rosa.

Slapping handcuffs on Tom, the tall man said, "We want you, we want to get rid of you."

After he had been disarmed by the smaller man and marched to the stable, Tom sent Rosa to the cabin to get a change of clothing and some cash. The two men saddled Tom's horse and as he and the three men rode away, the tall man told Rosa there were taking Tom to

CONSPIRACY

Events Leading to the Johnson County War of 1892: The Lynching of Tom Waggoner

By ROGER HAWTHORNE

Photos on following pages courtesy Wyoming State Archives

Courtesy Walter Gann

including Tom Waggoner's.

Sundance for stealing horses. (Sundance is the seat of Crook County where some stage company horses had been stolen).

That was the last Rosa saw her husband alive. Eleven days later, on June 15, Tom's body was found hanging from the limb of a tree about two miles north of the cabin and up a little canyon. Apparently he had been mounted on his horse and the horse driven from under him. It was the appearance of the horse at the cabin that caused Tom's brother, John, to begin a search.

After 11 days, the rope had stretched and Tom's feet touched the ground. The remains of a campfire was found nearby. It looked like simple lynching. But was it? The answer is that it was part and parcel of a larger tragedy, of the complex web of events that ignited the Johnson County War of 1892.

That "war," in north central Wyoming, was part of an even larger confrontation which spread over the entire Rocky Mountain West — the last struggle of the large cattlemen against the settlers, nestors and rustlers who were taking their land and their cattle from them.

This battle left scars which now, nearly 100 years later, have not really healed. The issues which caused the war are hotly debated today. Those favoring the small rancher, nestor and rustler see the cattle barons as the enemies of the "little guy." Those siding with the big ranchers see their opponents as outlaws and rustlers who ought be treated as criminals.

Move from Nebraska

Thomas J. Waggoner was one of the newcomers, one of the settlers the cattlemen despised so much. He was even more obnoxious because he was reputed to be in cahoots with the rustler-outlaw element.

Waggoner, described by friends as a thrifty German businessman, had come to Wyoming several years earlier from his parents' home in Nebraska City, Nebraska. Shortly after his arrival, Mrs. Rosa Chuler (nee Buchert) moved in with him, a rather common living arrangement in those days. That spring Weston County indicted 18 such couples, among them Tom and Rosa, for illegal cohabitation.

Tom acted swiftly to legalize their

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relationship. Rosa and Tom were married on April 11, 1891. But he died before the papers were actually recorded. At the time of the wedding, the Waggoners had a son, Thomas Jr., 2 1/2, and a daughter, Amanda, one month.

Tom was about 35 in 1891 and their two-room log cabin was located on an isolated ranch about 20 miles south of Merino, Wyoming, then the track-end of the westward-expanding Burlington and Missouri Railroad.

Waggoner came to Wyoming ostensibly to establish a horse ranch. By 1891 he had more than 1,000 horses and was reported to have $10,000 worth of other property. He carried more than $1,000 in cash on his person most of the time and had $17,000 in one bank alone, along with other caches in various communities.

He had many friends, particularly those he had bailed out of jail. But his enemies were numerous too. They considered him a mean, miserly fellow. They said he built his horse herd by stealing. They also said he was a cattle rustler. His ranch was said to be a way station for a gang of horse thieves operating out of Montana and Wyoming's Basin country. Some thought one of Tom's brothers, who had a ranch near Alliance, Nebraska, operated a relay station so the stolen stock could be taken to eastern Nebraska near where Tom's father lived and sold.

Tom knew of these accusations and always kept two pistols close at hand. But on June 4, when the three men rode up to his cabin and charged into the kitchen, Waggoner was quickly disarmed. The two pistols did him no good then.

Coroner's Jury

A coroner's jury soon arrived at the lynching site led by Weston County Coroner Kelly. The jurors were H. C. Hensel, editor of the Newcastle (Wyoming) Journal; Fred W. Coates, a deputy sheriff and Frank Allenbach, a jeweler.

The jurors took testimony from Rosa, John Waggoner and two of Tom's hired hands. Although the testimony established the three men were seen talking to a 101 cowboy named Creme and an unidentified Hashknife cowboy, no effort was made to identify these cowboys or seek further testimony. The jury ruled on the spot that Waggoner met his death at the hands of unknown parties.

Deputy Sheriff Joe Elliott and others cut down Tom's body and it was hastily buried on the spot.

Tom Smith, the Texas gunman hired for the Johnson County invasion.

In the years since the lynching, speculation as to the culprits has centered on Joe Elliott, the deputy sheriff; Fred Coates, another deputy and member of the coroner's jury, and a Texan, deputy U. S. marshal Tom Smith. Elliott and Smith definitely were in the employ of the Wyoming Stock Growers Association. Coates also may have been a WSGA employee.

Of the three, only Tom Smith is ever clearly identified with the group that lynched Waggoner. Smith's name came from an unusual round-about source.

In the fall of 1892, an Idaho gunman named George Dunning, who had ridden with the "Invaders" in the Johnson County War that spring, said that on March 7, 1892, Hiram B. Ijams, Wyoming Stock Growers Association secretary, told him Smith planned and executed the lynching of Tom Waggoner.

Forty-eight years later the memoirs of Billy Walker were published and Tom Smith's name was raised again. Walker was a trapper captured by the Invaders. He said that during his captivity in the spring of 1892, Tom Smith bragged about lynching Waggoner. Walker also said a Shock Hall and two other men were involved.

But both statements raise questions. Dunning said that Smith was contracted by the stock growers in November 1891. The deed was done in June of that year. Walker said there were four lynchers and that Hall was the 21 horse ranch foreman. He also said Coates was a drifting gunman. But Rosa saw only three riders; Hall was a rider for the Union Cattle Company on the OS ranch and Coates was a prominent Weston County resident.

In the 1930s, C. P. "Dub" Meek, a Weston County pioneer, said that in the fall of 1891, Sheriff Billy Wood of Custer County, South Dakota, told him Waggoner's lynchers outfitted in the Black Hills.

Wood identified the killers as Billy Likens (Lykens, Luykens), a Wyoming Stock Growers Association detective; Red Angus, sheriff of Johnson County, Wyoming, and "a fellow by the name of Tom." Wood said they were guided to Waggoner's ranch by Joe Elliott and others.

But Likens and Angus are not probable as Waggoner's killers. Likens was a Stock Growers detective and Ijams, who boldly bragged about the association's role in the lynching, would not have overlooked Likens' contribution. Among the Invaders were Joe Elliott, who was armed with Liken's rifle and Texan Tom Smith. Angus would not have been in a party with these two men.

But Meek's statement does confirm that Elliott and "a fellow by the name of Tom" took part in the lynching.

Which Tom Smith?

It will be recalled that George Dunning, getting his information from Ijams, identified one of the culprits as Tom Smith, but the problem is there were two men by that name and to further complicate the picture, both in 1892 were deputy U. S. marshals as Dunning had said Smith was.

Strangely, it appears Ijams is confused too. He knew of Texan Tom Smith. He did not know Thomas G. Smith. Joe Elliott, who told Ijams of the lynching, simply called one of the three men "Tom Smith."

In April 1891, Thomas G. Smith was the general manager of the Burlington Stage and Express Company organized that month to transport passengers and express from the end of the Burlington and Missouri Railroad to Buffalo, Wyoming.

In that month, horse thieves ran off 100 head of the stage line's horses. But the stage line recovered the horses, and that involved Tom Waggoner.

Thomas G. Smith came to the Sundance area in the mid-1880s from his native Canyon City, Oregon. In 1889, he went into partnership with another

Sundance, Wyoming, 1891, as it looked when the events of this story were taking place.

Canyon City man, J. J. "Johnny" McCullough. Their horse ranch was located about six miles southeast of Sundance.

In August 1890, Smith mortgaged his entire herd of 250 horses to raise money to create the Western Stage Line to haul mail between Sundance and the Black Hills in South Dakota. That fall he sold 40 head to raise money to build the Smith and McCullough stable in Sundance and to add a non-mail run between Sundance and Merino.

Smith overexpanded and had not made payments on loans due in Oregon. McCullough rushed to Wyoming just as the firm was hit by a series of suits from Oregon creditors. McCullough was able to pay off his creditors by mortgaging 250 horses to two different banks — even though the herd had only 210 animals. And he sold the stage line and mail contract. He also attached Smith's personal property in a friendly suit and took a carload of 40 horses to sell in Iowa and Missouri.

Wyoming creditors got nervous because of this trip so McCullough took out an ad in the Sundance paper indicating his desire to sell 300 to 400 horses. In truth, he had only 170 horses. The result of the ad was that the thieves hit the herd and Smith and McCullough did not have enough to muster the three or four teams needed for the daily stage run between Sundance and Merino.

But by June 9, 1891, the day their stage stations were stocked, Smith and McCullough had nearly 200 horses.

Capable of Murder

Thomas G. Smith was fearless, a betrayer and a man fully capable of murder. James Swisher, a Crook County deputy sheriff, thought Smith was going to kill him. Swisher, who was known for getting court orders to prevent people from killing him, got one against Smith.*

*In May 1889, two years before this, Swisher swore in a complaint that Harry Longabaugh, who became the Sundance Kid, was going to kill him. Swisher, normally a brave man, was first marshal of Newcastle and first sheriff of Weston County.

Smith argued that he had made idle threats while drunk but the court made him post bond and Smith's bond was never returned.

McCullough was Smith's boyhood friend and later his business partner. In December 1891, McCullough acquired the stage line between Douglas, Wyoming, and Custer City, Montana. The next month he sought a loan from the First National Bank in Buffalo. Smith alerted the bank that the horses McCullough planned to mortgage were already under three mortgages in Crook County.

In the wake of the financial collapse that followed, McCullough committed suicide. Smith did not bother to attend the funeral.

At this time the relationship between Thomas G. Smith and Joe Elliott is unknown, although both men had been in Crook County since the mid-1880s. Elliott was close to McCullough. When Elliott was arrested in February 1892 for an assault in November 1891 on Nate Champion and Ross Gilbertson, Elliott was given free run of Buffalo. But he stayed close to McCullough at McCullough's stage station.

McCullough helped post $5,000 bond for Elliott. Smith was not in Buffalo in February 1892 because he had severed his connection with the stage line and went to Washington state. He returned later but by then Elliott had fled to Cheyenne where he was being groomed for the Johnson County invasion.

George Burns Arrested

In the spring of 1891, when the stage line's horses were stolen, Elliott investigated and trailed the horse thieves into Montana. One gang member, George Burns, was arrested at Crow Agency, Montana, and returned to the Buffalo jail.

On June 1, it is known that Smith was in Sundance where he helped McCullough show off their new stage coaches. They announced that daily service between LaBelle, Wyoming, and Buffalo would begin on June 9, 1891. No later than June 1, Joe Elliott picked up

Burns, the prisoner in the Johnson County jail, and started with him for Newcastle.

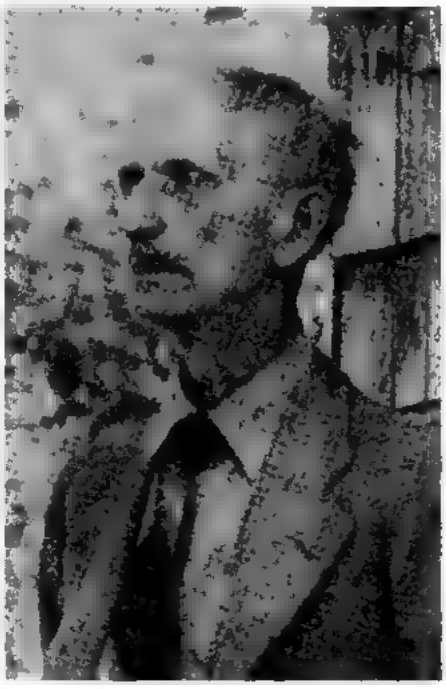
To get to Newcastle, Elliott and his prisoner rode to LaBelle, a shanty town about one mile west of present-day Moorcroft. The road at LaBelle forked going to Sundance and to Merino. Thirty miles beyond Merino was Newcastle, where it is known that Elliott lodged Burns on June 4, 1891.

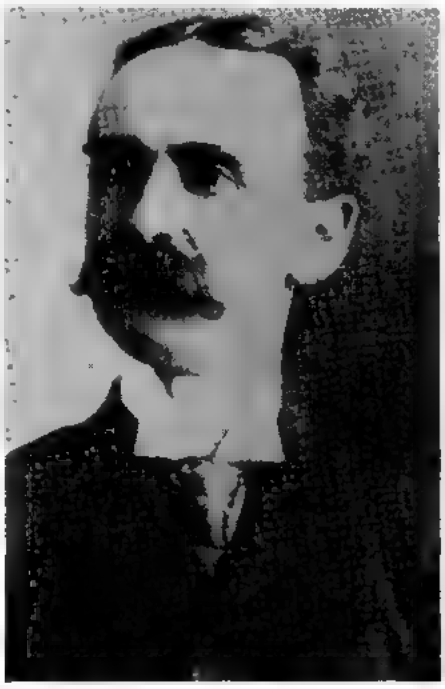
But 20 miles out of Merino was Waggoner's ranch. From there it is about a 10- to 11-hour ride to Newcastle.

Since it is known that Smith was in Sundance on June 1 and it took 18 to 20 hours to make the stage trip from LaBelle to Buffalo, where Smith was on June 6, he could have been in or near LaBelle on June 3. That was the day Joe Elliott and his prisoner were there, so Elliott and Smith assuredly met on that road.

Elliott had reason to want to "get" Waggoner. That same spring a team of horses belonging to Elliott had disappeared. When they came back, they bore Waggoner's brand. Elliott discovered from Waggoner's hired hands where and when Waggoner had changed the brands.

That led to a slapping incident in a Merino bar. Elliott tried to provoke Waggoner into taking action to justify gunning him down. Elliott slapped Waggoner with his hat, but when that failed to elicit a response from Waggoner, Elliott swore then and there he would get Waggoner.





Joe Elliott, left, at age 81 or 82, and Meyer Frank, friend of the Waggoner family.

The day of the inquest, with Joe Elliott listening, one person testified he had never heard anyone make personal threats against Waggoner.

There was plenty of time for Elliott and Smith, with prisoner Burns in tow, to make the trip to the Waggoner ranch, lynch Waggoner, and for Elliott to go on to Newcastle and lodge his prisoner in jail there on June 4. Smith went on to Buffalo.

Buffalo, Wyoming, courthouse, circa 1884.

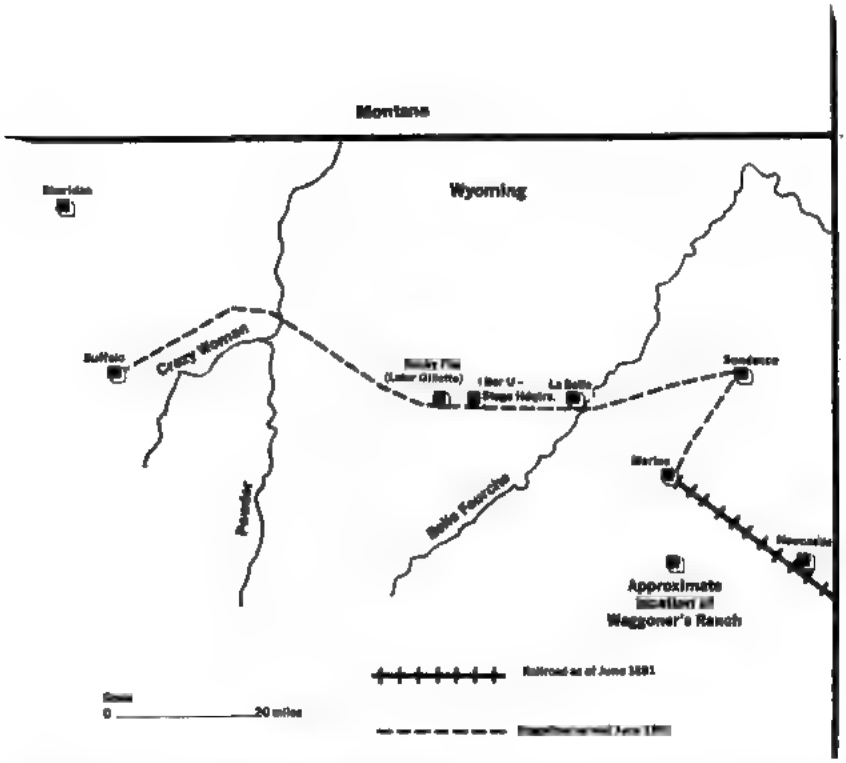
Getting rid of Waggoner solved two matters. It evened things for Elliott and gave Smith the horses he needed to start his stage line. Rosa said after Waggoner left the cabin with the three men, a 101 cowboy named Creme and a Hashknife cowboy drove a bunch of horses from her husband's pasture.

Adding to the notion that one of the men in the lynch party was Burns is evidence suggesting the third man never got off his horse. He may have been a very terrified horse thief, worrying whether there might be a noose left for him. Burns' two accomplices were never apprehended but Elliott publicly stated he knew who there were.

On Sept. 10, 1891, a jury found Burns innocent of charges of stealing two horses. He was not tried for theft of the stage company's horses. Burns vanished immediately after being released from jail.

No one ever stood trial for the loss of the Burlington Stage Line's horses but after Waggoner was lynched they never lost another horse. Ijams said it was Tom Smith's idea to lynch Waggoner but it just as easily could have been Elliott's. When he was 17, Elliott had seen four men lynched in the Black Hills for steaing horses from a stage line, an incident that stayed with him until his dying day.

Ijams was wrong about Fred Coates being in the lynching party, just as he was about the real Tom Smith. Waggoner was lynched for stealing the horses from the Burlington Stage Company by Thomas G. Smith and Joe



Elliott. The unwilling third man was George Burns.

But no one was ever charged with this crime. A coverup began as soon as it was committed.

Elliott was Detective

Elliott was not only a deputy sheriff of Weston County; he was a stock inspector and detective employed by the Wyoming Stock Growers Association. Unfortunately for him, it was known publicly that he intended to "get" Waggoner.

Merino city marshal Ed Fitch and John Waggoner questioned Elliott in Merino the day before the search party found Waggoner's body. In an amazing burst of candor, Elliott said that Waggoner had been lynched. Later he would say he knew this because of his knowledge of a widespread conspiracy involving Weston County officials.

When Elliott reported the lynching to his superiors in the Stock Growers Association is not known, but that he reported it is beyond question. It was probably soon after the deed was done and the association moved to protect its employee.

Fred W. Coates, one of the inquest jurors, petitioned the court the day after Waggoner's body was found to become administrator of the dead man's estate. His first act was to appoint Joe Elliott herdsman to safeguard Waggoner's horses. The Waggoner family insisted that Newcastle banker Meyer Frank, a fellow German-speaking man, be named administrator. But the family did not stand a chance against the behind-the-scenes maneuvering of the powerful Stock Growers Association.

To protect its man, the association began a press campaign to discredit Waggoner as a horse thief. Articles appeared in the Omaha World-Herald and the Buffalo Echo reporting Waggoner as a horse thief and speculating who might have killed him.

Although there is no evidence the cattle barons ordered Waggoner's lynching, one big ranch, the 101, benefitted from his demise. By 1893, Waggoner's fences were down and 101 cattle grazed his land. Elliott had been employed at the 101 a year before Waggoner was lynched and the 101's foreman, Richard M. Allen, was one of the Invaders.

Ijams never said that the Stock Growers Association planned the lynching. But it shed no tears over Waggoner's death. The powerful association only got involved afterward to protect its employee.

By early 1892, the association had other things on its mind and Elliott and others were already in Cheyenne awaiting a train to take them north. A large group of men would be riding into Johnson County to take care of the other Tom Waggoners who stole horses and cattle. Waggoner's death was just one of many on the road to the Johnson County War of 1892.

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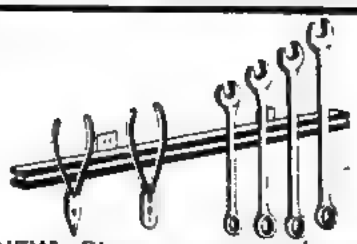

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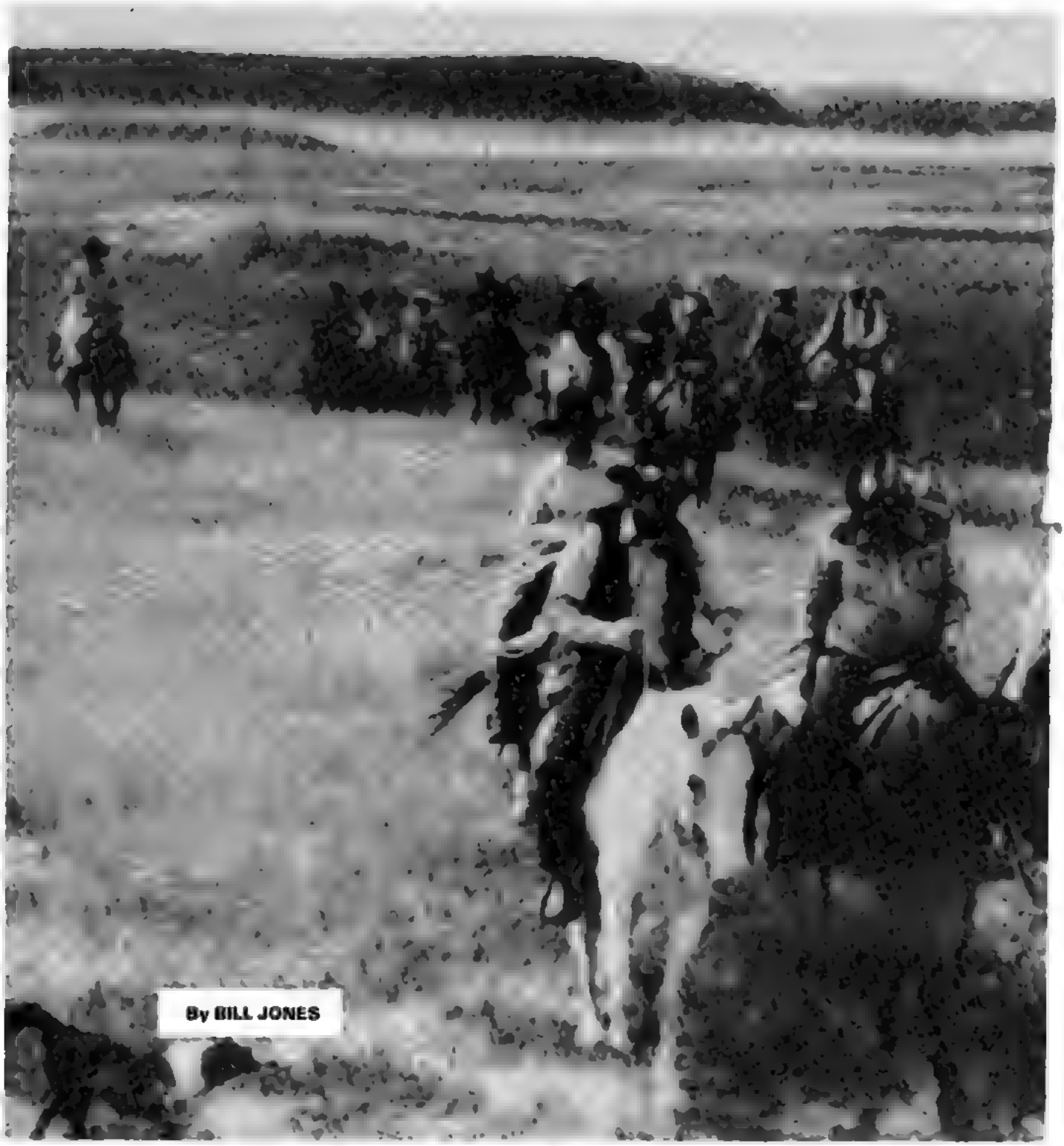


By BILL JONES

HOLE-IN-THE-WALL GANG

In the late 1880s and the 1890s, the Hole-in-the-Wall Gang rampaged over much of northern Wyoming and even into neighboring states rustling cattle and later staging raids on banks and trains.

There were several gangs, some fading while others took over, all using at times that famous north central Wyoming hideout, Hole-in-the-Wall. Most famous of these gangs was that led by Butch Cassidy and the Sundance Kid.

But that was more than 80 years ago. It may be a surprise to learn that the Hole-in-the-Wall Gang is at it again, riding long distances on horseback, camping by nighttime fires and generally raising havoc, at least a little.

This Hole-in-the-Wall Gang is generally peaceful and very law-abiding, in fact, it's a rather elite group. It's a Colo-

Courtesy Martin Kove

Courtesy Martin Kove

Above, movie and TV star Martin Kove, who rode in the 1983 trek. Left, the Hole-in-the-Wall Gang during the ride into Wyoming's famous outlaw hideout last year.

RIDES AGAIN!

rado group which like so many groups these days is even incorporated. And its one function each year is to ride into the famous Hole, a place of story and legend, of sweeping panoramas and beautiful peaks, yet a place haunted by its violent past.

The 20th Century gang was founded by R. F. "Red" Fenwick, a Cheyenne newspaper columnist, on July 7, 1977. Seven charter members, including Fenwick, made up the original group. It's stated purpose is "to perpetuate the far-famed cow country traditions" while "engaging in robust pastimes of the Old West."

And "robust" the annual ride into Hole-in-the-Wall is, although camp rules forbid gambling, guns and women! The "robust pasttimes" consist of strong drink, windy stories and horsebacking.

The gang lost Red Fenwick in November 1982 when he died at the age of 73. But you can bet his spirit roams the hills and rides the long Red Wall in company with other interesting personalities who have known that place, the roll call including Cassidy, Sundance, Flatnose George Currie, Sang "Clubfoot" Thompson, Bob Devine, Joe LeFors and many more.

Each autumn the club members, now 30 strong, ride into Hole-in-the-Wall in Johnson County and camp at Poker Creek, in the heart of the Wall country. The grand 1983 trek marked the seventh time the club has sponsored the ride.

Among the notables who took part in

Courtesy the author

Above, what many believe is the actual hole in the wall is behind the horses. Below, Tom Hiestand, Wyoming rancher, and Smokey Sorensen, retired Denver fire captain, discuss the old days at camp on Poker Creek.

the 1983 event were Colorado Governor Richard Lamm, western artist Bill Duncann, well-known local rancher Garvin Taylor and Martin Kove, one of the stars of television's "Cagney and Lacey."

Kove, who has appeared in several western films, has been making many trips to the West to gather material and get a "feeling" for a new film he hopes to make based on the adventures of a western cartoon character popular in Europe called Lieutenant Blueberry.

These well-known men were among the 30 to 40 riders to take part in the three-day 1983 trip. Among the sites they took in were Dull Knife's Battlefield, Butch Cassidy's cabin site on Buffalo Creek, the spot where Bob Smith was shot in an 1895 run-in with the CY outfit, the Outlaw Cave and much more.

To go with the horseback riding, there's steak and drink and camaraderie. But best of all, perhaps, there's the same atmosphere that made earlier travelers so fond of this place, the peace and quiet, the golden sunset and red hills and the brilliant stars at night.

Inside Hole-in-the-Wall you become convinced that the Old West, at least a little part of it, will live forever.

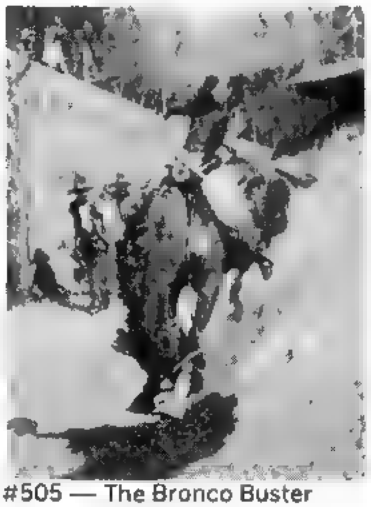
Courtesy the author

WESTERN COLOR PRINTS

Large Prints by Russell, Remington and Other Western Artists

#319 — The Smoke Signal

#402 — The Buffalo Hunt



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604— C.M. Russell in Studio
605— C.M. Russell and wife Nancy shortly after marriage
606— C.M. Russell as young man on horse "Neenah"
607— C.M. Russell (trick photo) plays checkers with himself

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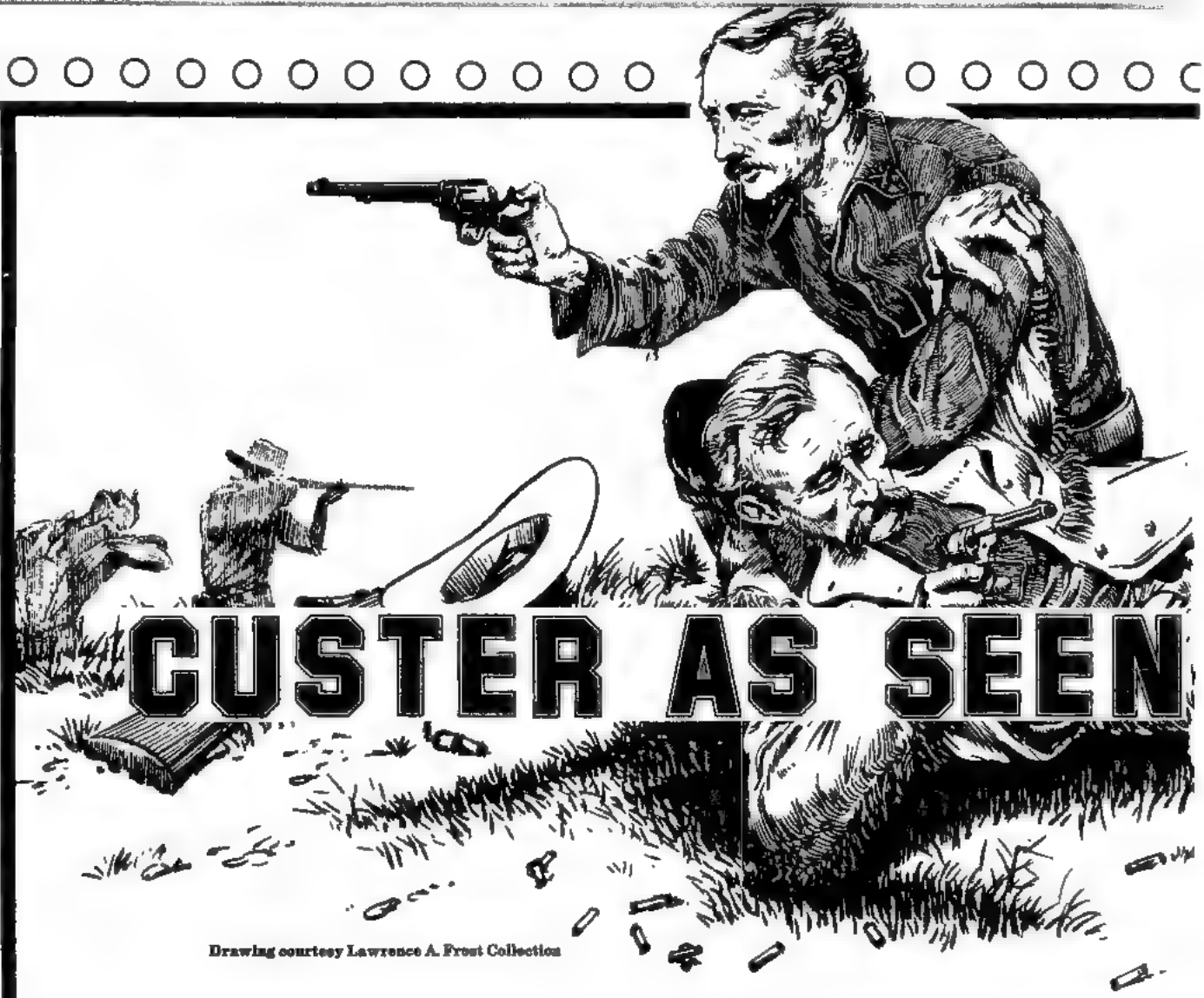

CUSTER AS SEEN

Drawing courtesy Lawrence A. Frost Collection

EVERY western movie is, in a sense, historical. It exists within an historical time-frame, usually that brief span from the close of the Civil War to the turn of the century. It deals with an American, and even international, myth of epic proportions.

Although all westerns reside in the shadow of history, only a few films make claims to historical accuracy and thus open themselves to criticism for their depiction of the past. Such historical films have an important impact on popular conceptions of the past since, for many, these films are their only exposure to western history.

Thus the manipulative influence of producers, directors, writers and censors with some political or social cause to promote may have far-reaching consequences. These films not only reflect, they help shape, the consciousness of their generation.

An exploration of the image of General George A. Custer over the 75-year history of the movies shows some decided alterations in his celluloid depiction. This revisionism, however, had little to do with a search for historical truth, the claims of the producers notwithstanding.

But these changes do give us an insight into fluctuating attitudes and America's national self-identity. The movies provide a wonderful looking glass through which we may observe the popular mood.

CUSTER or his last battle have been featured in at least 40 films since 1909. Custer's popularity in

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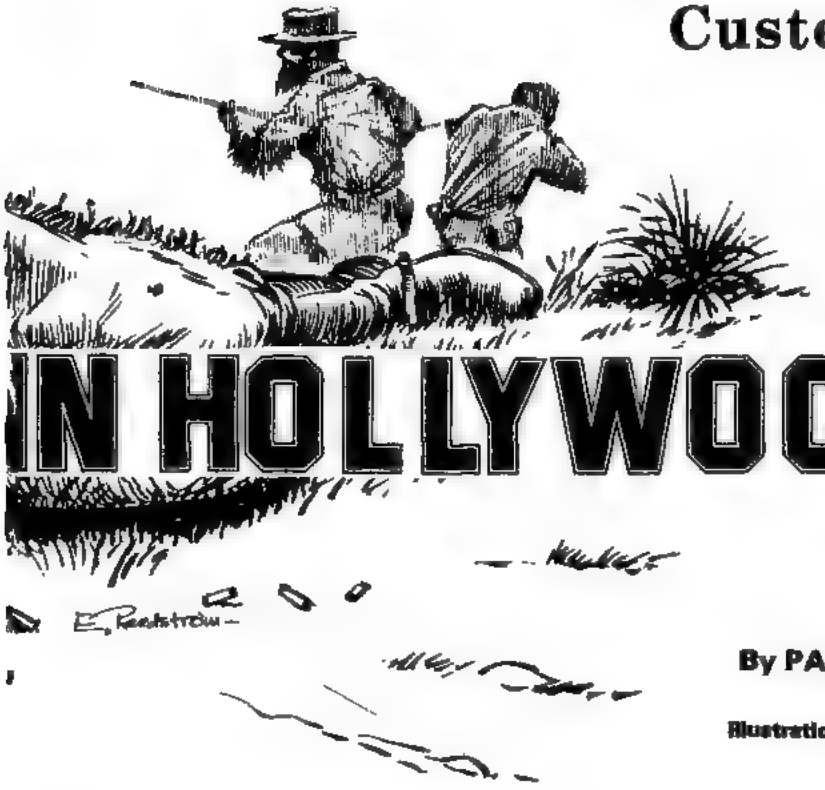
An attractive star and a good script might yet redeem Custer's film image.



IN HOLLYWOOD FILMS

By PAUL A. HUTTON

Illustration by E. L. Reedstrom

Hollywood stems from his symbolism as a western hero.

By 1900 Custer had become the clear symbol of the Army in the West and when a writer or film director wanted to recall the romance and tragedy of the frontier army, he had only to invoke Custer's name. This gave the audience a historical framework they could instantly identify with.

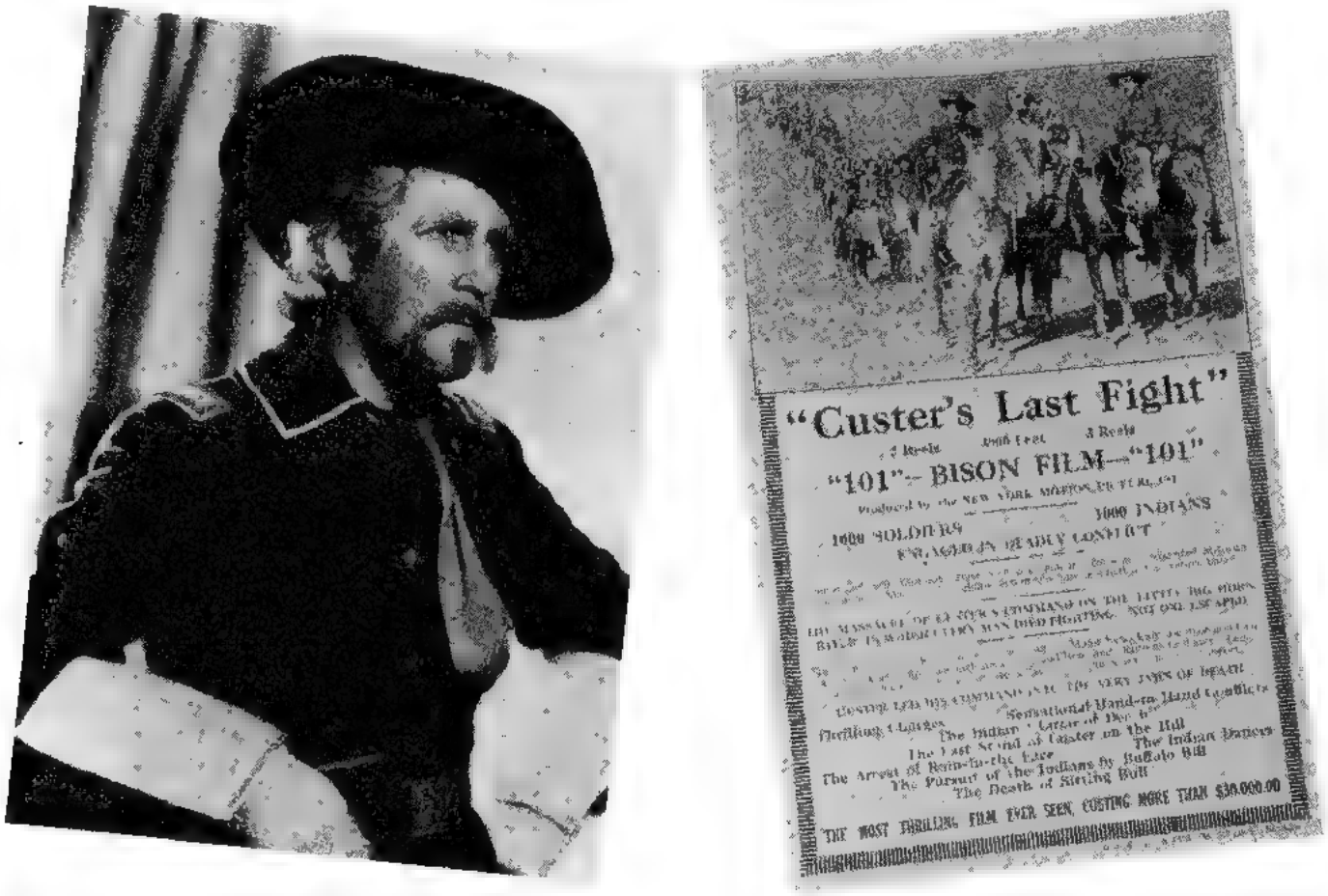
Custer was an authentic American hero long before Hollywood made the first film concerning his life and last battle. Novelists, poets and artists were immediately captivated by Custer's 1876 battle on the Little Big Horn and produced countless works. In the "Boy General" they found the perfect romantic martyr.

Custer would have relished his lionization, for it was a goal he sought all his life. Born in 1839, the son of an Ohio blacksmith, he was graduated from West Point as the goat of his class just in time to join the Union cavalry in Civil War campaigns around Washington D. C.

Hard staff work was rewarded in 1863 with a promotion to brigadier general. It was a wise promotion, for the new general promptly proved his mettle at Gettysburg by thrashing the Confederate cavalry.

By the time he personally accepted General Robert E. Lee's white flag at Appomattox, young Custer proudly adorned his uniform with the twin stars of major general.

IN THE army reorganization of 1866, Custer was commissioned


"Custer's Last Fight"
"101"- BISON FILM—"101"
1000 SOLDIERS
1000 INDIANS
Sensational Hand-to-Hand Conflicts
The Indian Career of Custer on the Hill
The Last Stand of Custer on the Hill
The Indian Dances
The Arrest of Rain-in-the-Face
The Pursuit of the Indians by Buffalo Bill
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THE MOST THRILLING FILM EVER SEEN, COSTING MORE THAN $30,000.00

Noted character actor John Miljan, left, played heroic Custer in Cecil B. DeMille's "The Plainsman" (1937). Page from advertising brochure, right, depicts Custer dividing his command. Brochure was for Thomas Ince's "Custer's Last Fight" (1912).

lieutenant colonel of the new 7th Cavalry and ordered to Kansas to battle the Indians. Always eager to impress both his soldiers and the public he adopted the fringed buckskin suit of the frontiersman.

His flamboyance blinded some into dismissing him as a foppish egomaniac and others into worshipping him as the last of the cavaliers.

Custer's western career was uneven at best. After the dark humiliation of an 1867 court-martial and suspension from duty for being absent without leave to visit his wife, he retrieved the limelight in 1868 with a smashing victory over the Cheyennes on the Washita River. Even this triumph was tarnished when critics called the battle a massacre of innocents.

More campaigning followed as Custer participated in the 1873 Yellowstone Expedition, where he got his first taste of battling the Sioux and then he led a 1,200-man exploration of the Black Hills of South Dakota in the summer o 1874. The discovery of gold by Custer's men sparked a gold rush into the Black Hills and helped bring war with the Sioux.

Command of the 1876 campaign toforce the Sioux onto their reservation was to have been Custer's, but his congressional testimony concerning corruption in the Grant Administration earned him the President's enmity. He was stripped of his command and only the intercession of General Phil Sheridan permitted him to accompany the expedition in command of the 7th Cavalry.

As he led his regiment deep into Sioux country Custer nursed his injured pride. He confided to a friend that he intended to cut free from the main column so that the 7th could strike the hostiles first.

GENERAL Alfred Terry obliged Custer's desire for independence on June 21, 1876, by ordering the 7th to follow an Indian trail up Rosebud Creek before rejoining the main column on June 26, in the valley of the Little Big Horn River. Terry hoped the Sioux would be trapped between Custer's men and the main column.

Custer's 655 men marched rapidly up Rosebud Creek and then west to the Little Big Horn where a large Indian village was discovered the morning of June 25. With no idea of the size of the enemy force, Custer divided his command into four parts and attacked.

The Indian fighting force proved larger than anyone expected and easily routed the center attack column under Major Marcus Reno.

Custer and five companies, some 212 men, charged the Indian village from the right. Thousands of Sioux and Cheyenne swarmed across the river and killed them all. It was a battle of slight military importance but "Custer's Last Stand" became a symbol of amazing vitality.

JOURNALISTS and artists immediately invented a gory but glorious image of the last stand. A recent compilation lists nearly 1,500 paintings of the battle. In all of these Custer was presented as a

Ronald Reagan played Custer in "Santa Fe Trail" (1940), along with Errol Flynn as Jeb Stuart and William Lundigan as Bob Halliday. At right, Britt Lomand portrayed an evil Custer in Walt Disney's "Tonka" (1958).

shining knight, a brilliant symbol of the frontier army.

The infant motion picture industry copied these and Custer's Last Stand became a favorite celluloid subject.

The first Custer film, William Selig's "On the Little Big Horn or Custer's Last Stand," was released in 1909, and featured a re-enactment of the battle staged by Crow Indians and a detachment of the Montana National Guard.

Thomas Ince's 1912 three-reeler, "Custer's Last Fight," presented spectacular battle scenes featuring several of the Sioux warriors who participated in the original battle.

There were 12 silent films of Custer and none more epic than Edward Sedgwick's 1926 extravaganza, "The Flaming Frontier." Released to coincide with the semi-centennial of the battle, the film featured Dustin Farnum as an incredibly noble Custer who sacrifices himself to save the frontier from being overrun by Indians.

The connection between film and history was cleverly exploited at the New York City premiere when General Edward Godfrey, who fought with Reno at Little Big Horn, was introduced to the audience. The old soldier received a standing ovation and then sat down to watch the days of his youth distorted on a flickering screen.

BY THE time films were given a voice the heroic image of Custer had come under successful attack by the so-called debunkers of the 1920s and 1930s. These novelists and popular historians, influenced by rising anti-militarism and the popularization of Freud, chipped away at the marble image of the last cavalier. Custer became an immature egotist who led better men to their deaths in search of personal glory.

It would be 20 years before this new Custer image reached the screen, even though it dominated the print media after 1930. The power of the National Legion of Decency, formed in 1933 to safeguard the purity of Hollywood's product, insured that the cynical tone of the debunkers would be kept from the nation's movie palaces.

No film producer dared attack a national idol in such an atmosphere. The economics of the industry also aided the censors. The western declined into serials, as well as cheaply done budget films and flashy cowboy musicals, all in response to the Great Depression.

ONLY Cecile B. DeMille dared produce a movie of the magnitude necessary to tell the Custer story. DeMille had no worries with the Legion of Decency for his 1937 film was a celebration of Manifest Destiny. Custer was played by John Miljan.

When the Indian bullet finally pierces his noble heart, Custer clutches the American flag and slowly sinks from view. Several outraged viewers criticized

THUNDERING AT YOU OUT OF HISTORY'S HEART!
WARNER BROS. GLORIOUS STORY OF AMERICA'S GALLANT 7TH CAVALRY!
ERROL FLYNN
OLIVIA DeHAVILLAND
"They Died with their Boots On"
RAOUL WALSH
WARNER BROS.

DeMille for taking liberties with history.

The 1939 success of John Ford's "Stagecoach" renewed interest in serious, big-budget westerns and there followed a rash of Custer films. Warner Brothers released the two most notable. "Santa Fe Trail" (1940) united Jeb Stuart (Errol Flynn) and George Custer (Ronald Reagan) in the struggle against John Brown's abolitionists in Kansas.

Reagan's Custer was a soft-spoken intellectual, not quite certain that Brown's cause was all wrong. Not the least of the film's historical errors was that the real Custer was but 16 at the time of the Kansas troubles.

Custer's film image reached its zenith, both in terms of heroic image and film quality, in Raoul Walsh's 1941 epic, "They Died With Their Boots On." Errol Flynn's dashing swashbuckler vividly captured the robust, devil-may-care side of Custer's personality, even if the darker characteristics were ignored.

The last stand is a glorious montage of charging warriors and falling troopers. Finally only Custer remains, his pistols empty, his saber drawn, the unbowed sacrifice of his race.

Top is ad for Raoul Walsh's "They Died With Their Boots On" (1941), the most successful Custer film. Below is Errol Flynn as Custer in the movie.

SCENES OF THE LAST STAND

At left Robert Shaw portrays Custer in "Custer of the West" (1968). With all his men dead, he loads last bullet into his pistol and charges Indians. Below, J. G. Adophe recreates Custer with fallen men around him in nine-reel silent 1925 film, "The Scarlet West." Bottom, Dustin Farnum came out of retirement to portray Custer in Edward Sedgwick's "The Flaming Frontier," the biggest of the films made to commemorate the 50th anniversary of Custer's last stand.

Richard Mulligan's Custer goes completely insane at Little Big Horn in Arthur Penn's successful "Little Big Man" (1970).

The original film script was critical of Custer, blaming the last stand on his pursuit of glory, but studio executives demanded changes. The commercial success of the film supported their calculated glorification of Custer. The film's 1941 release coincided with the hopeless stands at Wake Island and Bataan and to a nation marching into war, the sacrifice of Custer had special meaning.

THE end of World War II brought a series of films concerned with social problems. Films concerned with American racism were especially popular between 1948 and 1951. So some liberal filmakers fled to the western prairies to create their social conscience movies. The Indian replaced the Jew and the black in western racial films and, since the "Indian problem" was supposedly settled, little controversy resulted.

It was only natural for the filmakers to demythicize Custer, ever the symbol of the western army and use him as an evil counter to the new Indian heroes. In "Fort Apache" (1948), "Sitting Bull" (1954), "Chief Crazy Horse" (1955) and "Tonka" (1958), courageous Indian patriots defended their homeland from invading whites led by progressively crueler and more racist Custers.

This historical revisionism was lasting, for even after the cycle of Indian movies Hollywood continued to present crazed, glory-hunting Custers in traditional cavalry pictures like "The Great Sioux Massacre" (1965) and "The Glory Guys" (1965).

By the end of the 1960s, however, national division, mistrust and alienation replaced the sense of destiny that had so recently prevailed. A cynical alienation developed among young people who were the main patrons of Hollywood's product.

New westerns emerged, dominated by alienated, violent characters moving about in a festering world of corruption. The heroism and self-sacrifice of the old westerns gave way to greed and self-interest in such as "Hud" (1963), "The Professionals" (1966), "There was a Crooked Man" (1970) and "McCabe and Mrs. Miller" (1971).

Men of honor, more often than not outlaws by profession, are unable to copewith the institutionalized society of the new westerns and are destroyed by it as in "Butch Cassidy and the Sundance Kid" (1969), "The Wild Bunch" (1969), and "Billy Jack" (1971).

ABC network programmers thought they hit upon a sure way to exploit youthful television addicts with their 1967 series "Custer." Young Wayne Maunder was cast as the title character who, according to repeated ABC advertising, was "long-haired, headstrong, flamboyant and a maverick."

At about the same time a European film company attempted to depict Custer as an noble anachronism, living past his time and being stifled by the impersonal forces of corporate society, in their 1968 film "Custer of the West."

British actor Robert Shaw's portrayal of a brooding, ultimately suicidal Custer won no more acceptance with the audiences than did Maunder's Wild West hippie on ABC.

Both productions met with considerable protest from various groups outraged at even a modestly flattering portrayal of Custer. Even more disastrously, however, both shows met with widespread audience apathy.

ARTHUR Penn's 1970 film, "Little Big Man," proved more attuned to the collective national consciousness. Ranking as the second biggest money maker of the year, Penn's adaptation of Thomas Berger's novel about a frontier Candide bouncing back and forth between white and Indian societies, proved immensely popular with the youthful audience at which it was aimed.

Richard Mulligan's self-described portrayal of Custer was as "a cruel megalomaniac bent on sending the Indians the way of the buffalo, winking at the murder of their women and ordering the slaughter of their ponies." The last stand was presented as a complete rout, with Custer going insane before unheroically dying.

The international implications of Custer's "evil" were finally exploited in 1974 in Marco Ferreri's "Touche pas la femme blanche." Marcello Mastroianni played Custer as a "milksop braggart and dandy infatuated with his own success." Dirctor Ferreri cast Vietnamese refugees as the Sioux and filmed the last stand in a giant excavation pit near Paris.

Ferreri was captivated by the Custer story, enamored with the concept of the conquerors being eventually wiped out. "That's what happened at Little Big Horn," he declared "and what will happen tomorrow, I hope, everywhere."

A TALENTED director with a good film script and an attractive star might yet redeem Custer's film image or at least modestly revise the absurd caricatures of "Little Big Man" and "Touche pas la feeme blanche." Such a change, however, will depend on sufficient shifts in the social climate to make a military officer who battled Indians acceptable to film audiences once more.

Custer has proven a durable, if flexible, symbol of the American frontier in the movies. In all of these historical films the perceptive viewer will find that the historical Custer has less and less importance — even when historical details are closely adhered to — as movie producers attempt to come to grips with a preconceived and powerful historical myth while at the same time adjusting to the shadowy consciousness of a changing America.

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INN AT HAPPY BEND

Check in and Rest Forever

THERE is nothing left of Lewisburg, Arkansas, save the old graveyard located a long stone's throw from the banks of the Arkansas River. The old settlement has been absorbed by the town of Morrilton which grew up in response to the arrival of the Little Rock-Fort Smith Railroad in 1873.

In the old Lewisburg Cemetery can be found a stone, weathered, cracked, difficult to read and grown over with vines, that marks the grave of W. O. Wilson, the notorious "Lewisburg Devil" as he was called by the citizens of that community well over 100 years ago because of the hideous nature of his crimes.

By DR. WILLIAM CARL JAMESON

Illustrations by
Ed Walker

PRIOR to the Civil War, Lewisburg, Arkansas, was a thriving commercial center on the banks of the Arkansas River and for a while served as the county seat of Conway County. Steamboats plied the mighty river, stopping at Lewisburg to load and unload freight. Old Lewisburg was a busy town that showed great promise. Occasionally it was rowdy and brawling when visited by rounders and outlaws but for a pre-Civil War town it was remarkably calm.

Into this environment came W. O. Wilson. No one knew what the initials stood for or the year he was born. When he was finally killed, no one cared enough to put the year of his death on his gravestone.

It was known, however, that Wilson was born and raised in Alabama. As a young man he was employed for a time in a large mercantile store but was caught stealing by his employer. The store owner made an agreement with Wilson's family that he would not prosecute if Wilson left the state.

For years Wilson traveled throughout Missouri, Nebraska and Indian Territory and built quite a reputation as a horse thief and brawler. He was considered a brutal man. He was accused of murder several times, but he never stood trial for that crime.

Wilson was described as stocky build, muscular with thick shoulders. While not tall, he appeared huge because of his massive shoulders and chest. He had thick bushy eyebrows that met above his nose and he always wore a full beard that made his face appear larger than it was. He wore a long black coat and a black derby no matter the season.

HIS travels eventually brought him to Lewisburg and he bought a parcel of land at Happy Bend, about eight miles northwest of Lewisburg near a bend in the old road to Fort Smith. Here he built a double log house and with the help of a black slave woman brought from Missouri, he opened an inn.

The inn was neat and attractive with planted flowers and a fine stable of horses. The black woman cooked and cleaned for the guests and the inn soon gained a favorable reputation throughout the region.

In spite of his threatening appearance, Wilson was always the charming host, often sitting and talking with his guests well into the evening.

Soon after the establishment of the inn at Happy Bend, however, strange stories began to circulate about travelers spending the evening and never being seen again. When confronted with the suspicions of his neighbors, Wilson acted indignant and invited a search of the inn and the property. Nothing was found to suggest wrong-doing.

YEARS passed and Wilson prospered. It was suggested by some that Wilson appeared to prosper above and beyond that which an innkeeper would earn and he was linked more than once to a horse thief ring that operated in the Fourche Valley region, some ten miles south of Lewisburg in the Ouachita Mountains.

Several known members of the gang were seen visiting Wilson at the Happy Bend Inn and on one occasion one of the thieves was seen riding a mare believed to have been owned by a visitor to the inn who had disappeared. Other rumors in the Happy Bend area associated Wilson with barn burnings and aiding runaway slaves.

As time went on, more and more guests disappeared after registering at Wilson's inn. One day, a Mr. Paschal from Galla Rock, Arkansas, took a room at the inn. Mr. Paschal was well-known in the vicinity and had spent the previ-

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ous week visiting friends in Lewisburg. On his way home to Galla Rock, he stopped at the inn.

Paschal was known for the fine horses he bred and sold and on this day he was riding a manificent well-built sorrel. He also was known to be carrying a large sum of money. After checking into the inn, Paschal was never seen again.

INQUIRIES were made but Wilson said Paschal had ridden off before daybreak the morning after he registered. Again the inn and the property were searched and again nothing was found.

Wilson was kept under surveillance by the locals and, on becoming aware of this, he began to act nervous and seldom ventured from the inn.

Some days after the disappearance of Paschal, boys hunting in a willow thicket along the bank of the west fork of Point Remove Creek, northeast of Happy Bend, found a dead horse tied to a tree. The horse was identified as Paschal's and the community was aroused.

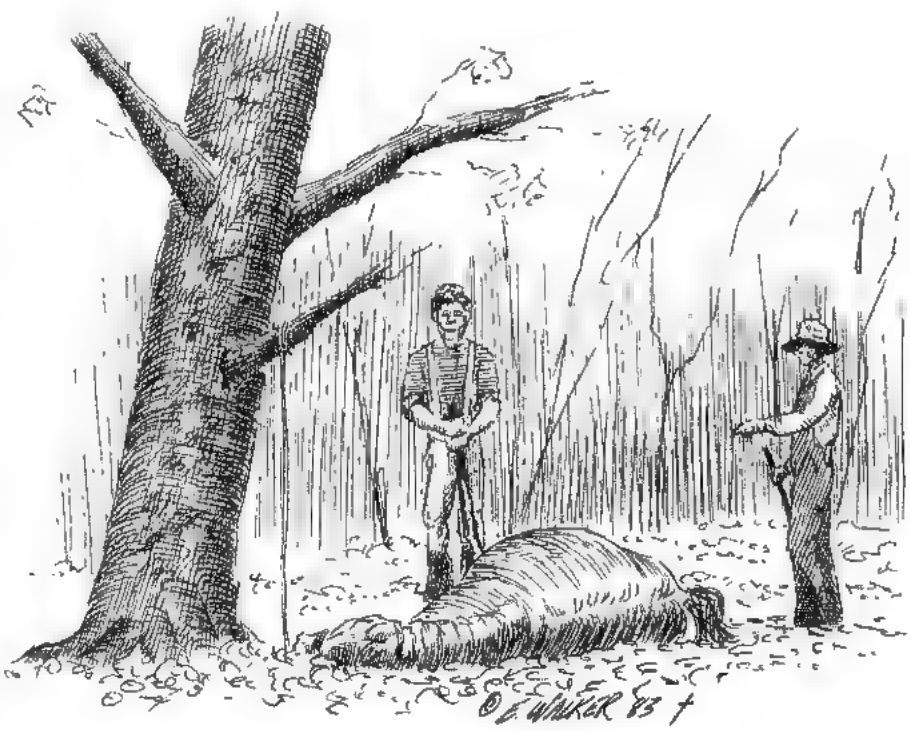
Neighbors said Paschal's disappearance was noticed so soon that Wilson did not have time to dispose of his horse, and, not wanting it found at the inn, he took it to the willow thicket and roped it to a tree.

Within hours Wilson and the slave woman were arrested and taken to the second floor of the Gordon Mercantile in Lewisburg where they were bound and guarded while awaiting trial. Questioning of both produced no confession and no insight into the disappearance of Paschal.

The black slave woman remained silent to all questions. She seemed to fear Wilson more than she did her interrogators. While they were being questioned, a third search of the inn was undertaken, but the results were the same as before.

ON the next night, as pre-arranged by angry townspeople and with the guards watching Wilson, the prisoner was allowed to escape. The plan was that following the evening meal Wilson would be bound loosely and while the guard feigned sleep, he would slip out of the second story window and down a ladder conveniently placed at his disposal. Once out of the building, Wilson walked to the banks of the Arkansas River where he took a skiff and pushed into the water.

The moment Wilson moved into the river, several dark forms appeared from the bushes and fired into the departing skiff. Wounded, Wilson sank moaning into the bottom of the boat. On hearing his groans and realizing he was alive, two of the assassins launched another boat, caught Wilson and returned him to shore.



"Boys hunting in a willow thicket . . . found a dead horse."

At this point legend is clouded. One version is that Wilson, in his wounded condition, was stoned to death on the banks of the Arkansas River by the men who shot him. Why they did not use their rifles after already having shot him is not clear, but it was related afterwards that, as the men were stoning Wilson they reviled him and called him "devil." The name stuck and Wilson was thereafter always referred to as the Lewisburg Devil.

Another version was that Wilson was taken back to the second floor of the mercantile store and bound again. His wounds were treated by a Dr. Nimrod Menifee who announced that Wilson would live long enough to hang. The following night, however, a public-spirited citizen climbed the ladder Wilson had previously used, entered the second floor window and shot Wilson through the head, killing him instantly. No interest was ever shown in identifying the nighttime assailant.

WHICHEVER version is true, the black slave woman expressed great relief at the news of Wilson's death. When she calmed down she related a most amazing story.

She told of a cleverly concealed trap door in the floor of the guest room of the inn which led to a cellar. Searchers failed to locate the trap door during their earlier visits.

Wilson would club an unsuspecting traveler on the head with a mallet and lower the limp form into the cellar where the victim would be stripped of valuables. Wilson would then hack the corpse into pieces with a meat cleaver, place the parts into a weighted sack and toss the lot into Point Remove Creek. The slave woman was forced to participate in this grisly business. At a convenient time, the victim's horse was sold to the Fourche Valley horse thief ring.

Lewisburg and Happy Bend residents were so horrified they set fire to the inn to remove it from sight forever.

The slave woman told law enforcement officers that Wilson had cached thousands of dollars in coin and jewelry somewhere near the inn. Searchers have examined the area extensively since but no one ever located the cache.

Lewisburg is just a memory now. Happy Bend is a small community consisting of no more than a dozen houses in Pope County, Arkansas. Old-timers in this area still tell their grandchildren, "If you don't behave and act right, Old Man Wilson will get you." The memory of the Lewisburg Devil is still alive.

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Trails Grown Dim

Funeral Services for Wild Bill

I would like to correspond with anyone who knows the ancestry of Charlie Utter. It was at his camp that funeral services for Wild Bill Hickok were held on Aug. 3, 1876. — **Merton D. Utter, 224 A. Brimmer Ave., New Holland, PA 17557.**

Carson

I am interested in information on Ellard W. Carson. He was associated with several Quicksilver mines (the Carson, Oceania, Cambria and the Klau mines) from 1910 to the 1930s in the Cambria, California area.

Carson was active in the Republican party and held state and/or San Luis Obispo, California, county office positions in the 1920s. His brothers were James and C. L. Carson, and he had possibly two sons, Carter J. and John Carson.

Ellard Carson lived at 714 Buchan Street in San Luis Obispo in the late 1920s. — **E. H. Kluver, 120 N. Val Vista Dr., No. 142, Mesa, AZ 85203.**

Cressler-Marshall-Wood-Ocobock

I am interested in Alfred Cressler who was born in 1842 or 1843 in Pennsylvania and who died in 1916 in Kansas.

He enlisted in the Union Army the fall of 1861. His address at that time was Nora, Illinois. After the war, Alfred was discharged at Louisville, Kentucky. He returned to Illinois where he married Ellen Mary Marshall in 1865. Ellen died in 1886, and Alfred married twice more to Mattie Dell Wood and Martha Parkhill Crouch Ocobock.

Alfred and Ellen had five children: Willis, Jennie, Fannie, Herbert and Walter. Alfred and Mattie had three children: Clarence, Ethel and Clifford. — **David Cressler, N Rd., Box 388, Dove Creek, CO 81324.**

Parker-Wiley-Barker
Cannon-Wood-Cooksey-Newsom

I need information on the parents of Jesse Parker, born circa 1775 in North Carolina. He died May 27, 1849. He married Sarah Wiley and their children were Sarah, Matthew, Wiley, Rebecca and Elizabeth A. His second wife was Elizabeth Barker and their children were Jesse, Louisa, Mary Ann, Rebecca, Nancy, Isaac N. and Samuel D.

I also need information on the parents of James William Cannon, born in 1812 in Michigan and died in Aurora, Missouri. He married Mary Wood and their children were Thomas Bently and George Riley. He next married Mary Ellen Cooksey and their children were William Allen, John Wilson, James Crittenton, Madison, Marion, Perry, Dee (Doc), Leo, Cicero (Sis), Laura and Julie.

I also need a positive connection between William Newsom, born in 1648 in Surry County, Virginia, and William Newsom of Newsom Hall, Lancashire, England. — **Mrs. Elaine Von Moos, 324 N. Willow Ave., W. Covina, CA 91790.**

Burris

I am looking for any information about my grandfather Burris. He was Irish and married a Cherokee woman. His last known residence was in or near Fayetteville, Arkansas in 1871. They had one known son, Charles A. Burris, who was my father. — **Patsy Hice, Box 247, Paonia, CO 81428.**

Ross-Smalley-Fergusson

I would like information on Robinson Ross and his wife, Sabra Smalley, and their children: Rachael Ross Fergusson, Levina Ellen Ross Loman (Lowman), Catherine Ross Short, Mary Ross Whistler Bridges, Alonzo and William.

William and Alonzo shot and killed Marshall A. G. Hall in front of the Blind Tiger Saloon in Round Rock, Williamson County, Texas in 1878.

The Ross family lived in Fayette County, Texas, although some migrated to Karnes County. Rachael's husband, Napoleon B. "Boney" Fergusson, was sheriff of Fayette County in 1867 and 1868. His parents were Robert A. and Lydia Bowdry Fergusson. — **Cherry Sullivan, Box 274, Kermit, TX 79745.**

Williams-Penn

I am seeking the names of Joseph Russell Williams' parents. My father was their son. Joseph married Miranda Penn, daughter of William and Elizabeth Penn, on Feb. 10, 1848, in Dade County, Missouri.

Joseph was supposedly in Texas by 1868, and he died in the 1870s in Wise County, Texas. I find no census record of him, but his wife, Miranda, is listed in Grayson County, Texas, in 1880.

His children were James Washington, Mattie, Mary, Annie, Belle and Joseph Russell. — **Floyd Cullen Williams, 161 West Shore Dr., Lewisville, TX 75067.**

Grayson-Martin

William Harvey Grayson was born in January 1829 in Tennessee. His father was also born in Tennessee. What were William's parents' names? Where were they born?

William married Darthulia Roxana Martin who was born Oct. 17, 1828 in Tennessee. What were her parents' names and where were they born?

William and Darthulia had these children: Charlie H., Joseph D., Mary Alice, Jim T., R. Calvin (Callie), Hugh Ruth, Marion Blair, Tom Edward, L. Sam, Benjamin Franklin and one unknown. They lived in Tennessee, Texas, Arkansas and Missouri. William and Darthulia are buried at Sunset, Montague County, Texas. — **Keith D. Grayson, 709 Oakwood Ave., Vallejo, CA 94590.**

Haskin-Chapman

I a trying to locate the family of John J. Haskin, born in Ohio circa 1825. He married Lucy Ann Chapman on Sept. 12, 1857 in Delaware County, Iowa.

John died in the Civil War on Nov. 13, 1861. He had one son, George Washington Haskin, born on Aug. 27, 1858 in Applington, Iowa. John was my great-grandfather. — **Loanne Livesay Rebuck, 2346 Norfolk St., San Mateo, CA 94403.**

Hagan-Hunt

I am searching for information on India, Melvin and Richard Hagan or Hunt, last known living around Andrews, Texas. — **Mrs. Gus Drennon, Box 102, Ralls, TX 79357.**

Readers' letters for "Trails Grown Dim" are printed as soon as space permits, so please be patient. Please type or print your query and limit letters to 150 words or less. Photos are welcome. We can't run current "missing persons" notices or lengthy genealogical requests, but we do attempt to print all letters as soon as we can. Any reader having information concerning persons referred to below is asked to communicate directly with the letter writer; please do not write to us.

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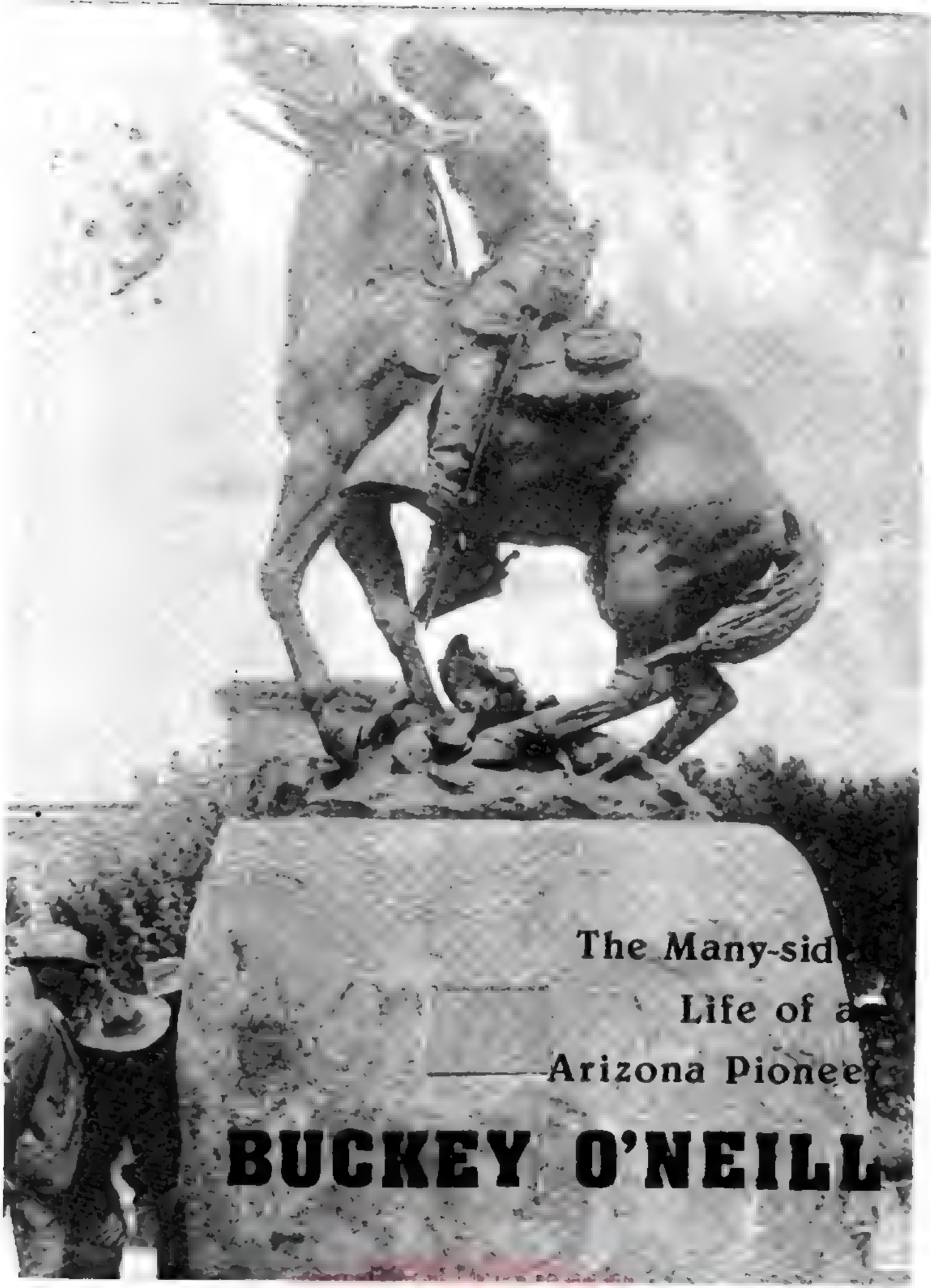


The Many-sid
Life of a
Arizona Pioneer

BUCKEY O'NEILL

By SAMUEL STANLEY

IF A man's measure is the sum of his parts, Buckey O'Neill has no rival in American history. On its pages his career, many-sided but lamentably brief, sparkles with meteoric flair as well as with eye-opening achievement. The state of Arizona owes much to him for its place on the map.

Such a figure could appear no more than once a century. The mold for him was cast only once. You would be hard-put to find a category broad enough to fit him; he was variously a lawman, a judge, an editor, a fiction writer, business man and soldier – this last his final role.

He also was a gambler who broke many a bank in his favorite game of faro. Above all he was a lively opportunist and relentless partisan for what he saw as right.

William O'Neill (the nickname "Buckey" came later) was born Feb. 2, 1860, in St. Louis, Missouri. A year later the family moved to Washington D.C. where his father, a career soldier, became provost marshal.

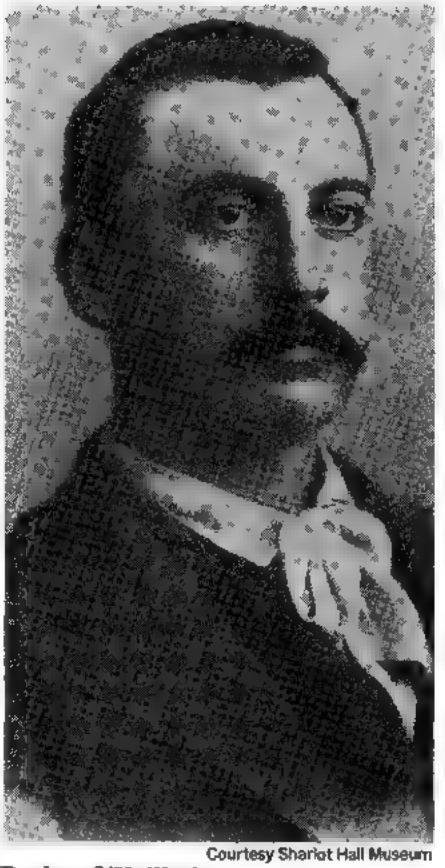
At high school young William learned shorthand and typesetting, two skills he would find useful later. From his father he acquired a competency in the use of firearms. Finally he received a degree in law at National University as well as a taste for literature. But his restless spirit yearned for adventure. To find it he journeyed across the continent to the still untamed Territory of Arizona.

One hot summer day in 1879 he rode into Phoenix, a riotous boom town of 1,500 souls, half of them Mexican. Phoenix was a supply point and center of attraction for silver miners, along with construction workers from the unfinished Southern Pacific Railroad. It seemed a likely starting point for the kind of life he was seeking. But first he had to find a way of earning a livelihood. He pulled up at the office of the Herald, the local newspaper.

"Need a good editor?" he inquired of the man who sat in front. "I'm the editor," the man replied, "but I do need a typesetter."

Photo on opposite page: This was taken during the unveiling of a statue of Buckey O'Neill at Prescott, Arizona. Statue commemorates his service in the Spanish-American War, in which he was killed.

Courtesy Arizona Historical Society



Courtesy Sharlot Hall Museum

Buckey O'Neill, circa 1880.

"Just give me a try," said O'Neill. Shortly, the editor's eyes opened wide at the stranger's speed and skill in setting type. Right away he got the job.

The town bristled with gambling dens as much as with night and day violence. It was the faro games that caught O'Neill's fancy. He challenged them with a recklessness that awed the most hardened players. One gamble was an all or nothing risk called "bucking the tiger," and was a favorite with O'Neill. He won more often than not and from then on was "Buckey O'Neill" to everybody. Faro dealers winced with apprehension when he walked through their doors.

Typesetting, though a boring job, was not too time-consuming. Since law school, Buckey was curious about the workings of the law and he passed much of his spare time — when he wasn't breaking a faro bank — at the local courthouse. There he struck up a friendship with Henry Garfias, the town marshal. One day, while the two sat talking, a man jerked his galloping horse to a stop in front of Garfias' office.

"Henry," he panted, "them Hyde boys says they're comin' to shoot up the town! You'd better get ready." The Hydes were a gang of notorious ruffians who loved trouble.

Buckey jumped to his feet. "Marshal," he said, "how about making me a deputy? I know how to handle this thing." He patted the six-shooter strapped to his waist. In Phoenix no man was fully dressed without one.

"O.K., if that's what you want," replied Garfias, glancing at his sturdily-built companion. He pinned a badge on the deputy's coat. Dust clouds rose at the far end of the main street, along with shouting and the crack of pistol shots. Seconds later a bunch of swearing, rudely-dressed riders reached the courthouse. Buckey leaped forward and seized the bridle of the leader's horse. The man whirled his gun but the deputy was quicker. His shot dropped the rider from his saddle with a shattered hip. Garfias gunned down two others in rapid succession. The rest fled for their lives. It was Buckey's first taste of excitement.

This upstart town boasted two newspapers and competition was keen. Weary of typesetting, a pedestrian job, Buckey turned to the rival Gazette for more challenging work. Through his bold approach and beguiling Irish wit, he convinced the owner that his paper was a dud and that he, Buckey, knew how to make it come alive. In that moment he was hired as editor. His efforts made the paper an instant success and the thriving Phoenix Gazette of today reflects his innovative ideas. Yet his wandering soul could not find rest.

Three hundred miles south the tumult of the silver mining rush had spawned the desert town of Tombstone. As yet, it numbered barely 100 people. The cluster of shacks stood like cactus, bleak and just as prickly. But it hummed with action.

O'Neill had lingered in Phoenix long enough, waiting for something to happen and now prospects looked better where the silver miners were flocking. He quit his editing job and set out for Tombstone. Once there he had little trouble catching on as a reporter for the fledgling Epitaph. This was the period when the Earps maintained a degree of order in this boom town and the time of the fabled shootout in the OK Corral.

Buckey covered it all, grinding out reams of copy in the style of a gifted reporter. But Tombstone was still too raw for his educated tastes. From one day to the next he had nothing but uncouth, unread silver miners for company, nothing to lift his spirits. He soon tired of the surroundings.

Buckey O'Neill, second from left, and a sheriff's posse, circa 1880. Others in posse are Carl Holton, Jim Blash and Ed Sinclair.

Courtesy Sharlot Hall Museum

The next two months were an interval of haphazard rambles, to California, Hawaii, New Mexico and then back again to Phoenix. From his work on the Epitaph as well as winnings at faro he was comfortably well-off. Near the end of these jaunts occurred an illustration of the warm, human side of his many-faceted nature. On the way back to Phoenix he met an old Tombstone acquaintance who was obviously down on his luck. Without waiting to be asked, Buckey emptied his pockets for the penniless drifter. That left him without coach fare to continue his journey. From then on he walked.

Phoenix, though, had little to offer, so he journeyed on to Prescott, the territorial capital and Yavapai County seat. Court reporters were much in demand. He was hired by Judge DeForest Porter and began making the rounds of circuit court, reporting sessions. He liked Prescott, was making friends, and gradually settled in. This persuaded him to join the Milligan Guards, the local militia, in which he became a lieutenant. Now he began having serious thoughts about a career. Arizona, he decided, needed a journal to serve its growing cattle industry, something of a repository for pertinent news. So why not set up one on his own?

It was an ambitious undertaking. Buckey bought printing presses and other equipment, straining his credit — which by now was building up — to the utmost. The year was 1885. Hoof and Horn was the name he chose and when the first eight-page edition came off the press, in highly professional form, it proclaimed itself the "Only journal devoted exclusively to the stock-growing interests of Arizona." Furthermore, it boasted the title of Official Paper of Yavapai County. He was confident his friends in the courthouse would back that up and they did.

Thus he would have the added revenue from county advertising. With such prospects, the project could hardly fail. The paper caught on from the start. For O'Neill, it was a major step along the path he had chosen.

Throughout Yavapai County, if not beyond, Buckey had become an important figure. A year later he was elected probate judge, on the Republican ticket, whereupon he proceeded to clear up a huge backlog of unsettled estates. Before that, no one had shown any interest. But O'Neill tackled this assignment with the vigor he displayed in whatever he undertook.

Among his first acts he had the law changed (Buckey had political clout) so as to provide funds for pursuit of cases. Before that judges were obliged to pay costs out of their own pockets (this might explain their slackness).

As probate judge he was also superintendent of county schools and in that capacity he persuaded the territorial legislature to pass the first compulsory school law in Arizona. Not one to be daunted, he assailed the territorial superintendent, his own boss, for squandering the school system's money. The charts, spread across the pages of Hoof and Horn, were never refuted and brought reform. O'Neill not only bucked the tiger, he bearded him as well.

This stalwart Irishman who would flinch at nothing — the threat of a badman, the arrogance of authority, the risks of a faro game — nevertheless had his weakness. He was timid with women. Once the administrator of a delinquent estate, a woman, confronted him in his office. The lady was in high dudgeon. Buckey had been pressing her hard for an accounting, without results.

"I'll teach you to send the sheriff after

Courtesy Sharlot Hall Museum

me!" she screamed, brandishing an umbrella. Buckey took one look and, seeing his way barred, leaped out of an open window in full retreat. Later, however, he got the necessary accounting.

After his wandering, Prescott became his home. Now his thoughts turned to marriage and the lady he wooed and won was Pauline Schindler, daughter of an Army captain at nearby Fort Whipple. Marriage, though, brought no curtailment of his varied pursuits. He was a judge, publisher of a news journal, superintendent of schools, inveterate gambler and now an author.

He wrote a booklet on the virtues of the Arizona climate which was snapped up by the Prescott and Arizona Railroad, a line hungry for passengers. Also, he sold a short story, "Requiem of Drums," to Cosmopolitan Magazine. Finally, he became captain of the Prescott Grays, an outgrowth of the Milligan Guards which was admitted to the National Guard. It was a busy life.

Then in 1888, feeling that the routine of judgeship was a deadend street, he ran for the office of Sheriff of Yavapai County, by far the biggest one in Arizona Territory, and was elected. Buckey was always looking to the future.

Soon he found himself faced with an especially thorny case. An eastbound Atlantic and Pacific Railroad express had been robbed at Canyon Diablo, a lonely way-station. Four men had done it, according to a message wired by the harried station agent. They made off with a sizeable loot from the safe in the Wells, Fargo express car. The robbers, all mounted, vanished as suddenly as they appeared.

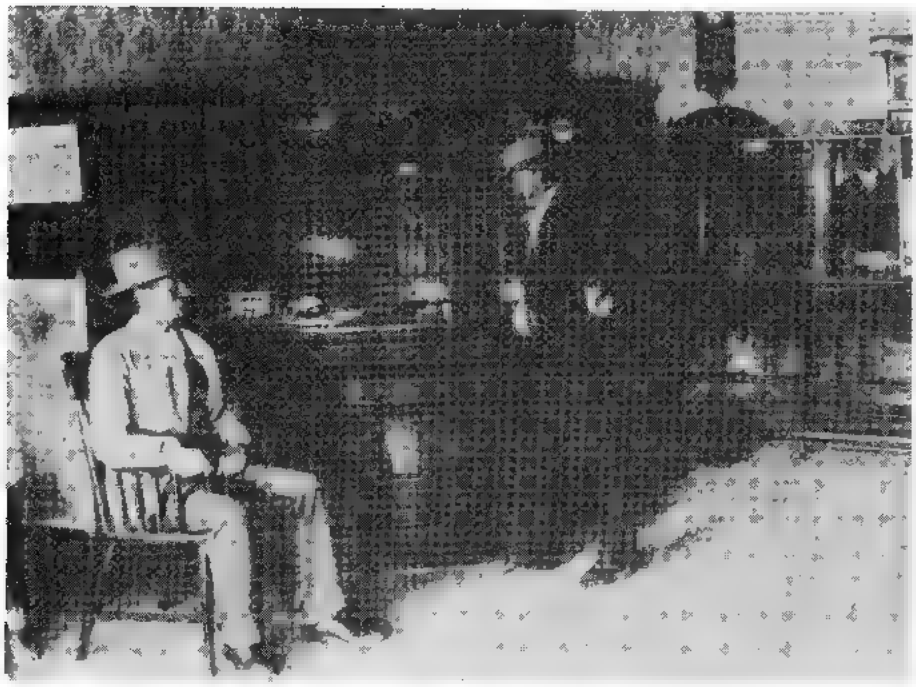
Beyond these stark facts, the new sheriff had nothing to go on. The trail was already cold. Both the chairman of the Board of Supervisors and District Attorney Ross tried to discourage any pursuit, pointing out that the robbers were now probably over the county line, beyond the sheriff's jurisdiction. But O'Neill would have none of that. The crime had been committed in Yavapai County and Buckey wouldn't stop until he had nabbed the offenders wherever they were.

O'Neill swore in three deputies, Cal Holton, James Black and Ed St. Clair, the last two experienced trackers. The task they faced was most difficult. By the time they got to Canyon Diablo the robbers would have at least a two-days' head start, in the wildest kind of country.

After a fast ride to the way station,

Above, Prescott, Arizona, circa 1880, when Buckey O'Neill was there. Note that by this date buildings looked substantial. Below, O'Neill in military uniform in the 1880s.

Courtesy Sharlot Hall Museum



Courtesy Arizona Historical Society and Sharlot Hall Museum

Buckey O'Neill is seated near collection window at Bank of Arizona, Prescott, in 1897. Other man is unidentified. O'Neill was sheriff.

the little posse searched the area for clues. A sleet storm nearly obliterated the signs. Still Black and St. Clair were expert trackers, and slowly they came up with leads: A rock scratched by a hoof, a tuft of horsehair on a twig, a broken stick of wood. The signs led north and the posse took up the chase, stopping where the trail ended at Lee's Ferry on the Colorado River. Across it lay Utah. Without a pause, Buckey shoved horses and men onto the ferry.

Somewhere the outlaws would have to stop for food. The most likely spot would be Cannonville, a Mormon village in a wilderness of broken country. To cut their headstart, the officers gambled. Instead of tracking, which meant a loss of time, they headed directly for Cannonville, arriving 10 days from their departure and after covering a distance of 600 miles, a record unequalled.

The gamble paid off, as gambles did for Buckey. The outlaws had left there shortly before and some miles farther, following a now plainer trail, the pursuers came on to a still burning campfire. Now the trail itself was just as hot.

Leaving the others to scout the area, Buckey rode ahead through a stand of ponderosa pine toward some high, rocky ledges. It was just a hunch: The outlaws might have suspected they were being followed and tried to shake off pursuit. Anyway, luck was with him again. At the edge of a steep cliff above Wah Weep Canyon he spotted two men trying to pick out a way down the side.

"Whoa, there, you're under arrest!" shouted Buckey. The men had no choice but to surrender. Hemmed by cliffs on all but one side — the side on which the sheriff stood — they had nowhere to run. Buckey fired one shot summoning the rest of the posse, who had meanwhile collared the other pair, and the chase was over.

The prisoners were taken to Kanab, the nearest train station, and returned to Prescott. Wells, Fargo and Company, which got back some of the loot, rewarded Buckey with $5,000 in cash and a hand-etched revolver. There was never another train robbery in Yavapai County.

As sheriff he had other daring adventures, including one involving the killing of two men near Oro Fino, over a mining claim. Buckey rode out and brought in the killer before sundown, having covered a distance of 85 miles.

But he always wore at least two hats. Between efforts as sheriff he was also county tax assessor. In that role he once tangled with the Arizona and Prescott Railroad in a memorable court battle. Since its beginning the railroad had paid little or no tax at all on its highly valuable property and no one questioned the right or wrong. In view of the heavy tax laid on other landowners, Buckey thought this outrageous. Upon assuming his duties he sent the A and P a bill for $892,260, based on an assessment of $1.25 per acre. Naturally, it was protested vigorously.

The company had powerful connections. Upon receipt of its complaint, the county board of equalization reduced the assessment to thirty cents. Seething with anger, Buckey fired off a protest to the territorial board and saw that every newspaper in Arizona got a copy. The result was a 10-year legal struggle which ended in the U.S. Congress with a change in the law under which the railroad had unfairly benefitted. Unfortunately, it came too late for Buckey to witness.

O'Neill had ambitions, not only for himself, but also for the Territory of Arizona, which he hoped to see become a state. To further that cause he set his sights on the office of Arizona's delegate to Congress. With that in mind he refused a second term as sheriff. Given his huge popularity and sound record he looked to be the ideal candidate, and Republican bosses picked him for the nomination. But on one condition — that he quit his hounding of the A and P Railroad. Angrily, Buckey refused and turned to the new People's Party for his political future. He became their nominee, but the heavy clout of the Republican bosses proved too much. Buckey lost the election but not his resolve to try again.

The opportunity, however, never came. The Spanish-American War broke out and Buckey couldn't wait to get in it. As commander of the Prescott Grays he raised a regiment of volunteers, cowboys, miners and other sturdy types who would be suited to the fighting in Cuba's rough terrain. He drove his men hard and turned them into a crack outfit. It became the First United States volunteer Cavalry, later the Rough Riders, under the command of lieutenant Colonel Theodore Roosevelt. Buckey O'Neill was commissioned a captain.

He never came back. At San Juan Hill a Spanish bullet ended his life and his career, at the age of 38. Ironically, he had commented, "The Spanish bullet that can kill me hasn't been molded."

How to sum up a man of such splendid proportions? A friend once said "he could do impetuous, prodigal things but never a mean one." Perhaps no description would suit him better. In the best sense, he was an opportunist and a fighter for what he thought worthwhile. In Prescott an imposing statue bears witness to his place in the history of Arizona.

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1– [illegible] 17 x 14	42– The [illegible] 16 x 9¾	87– Where Shall [illegible] 24 x 9¾
2– A Type[illegible] Lodge, 17¾ x 9¾	43– [illegible] 16 x 9¾	89– When Mule Was Valuable 17¾ x 9¾
3– A Lesson Learned 11 x 8	45– Jack Dempsey 7¾ x 9	90– [illegible] 7 x 9 (watercolor)
4– A Wounded Grizzly 9¾ x 11	46– Wild Geese [illegible] (watercolor)	91– [illegible] 13¾ x 9¾
5– Buffalo Hunt [illegible] 11 x 7¾	47– Bighorn Watchers 13¾ x 8 (watercolor)	92– Where the Deer & Elk Roam 15¾ x 6 (center cut)
6– Bear in Den [illegible] 8 x 12¾	48– The Challenge 9¾ x 8¾	94– Morning Shadows 17¾ x
7– Bear in Brush 7¾ x 9¾	49– When Horses Were Cheap 9 x 7	95– When Horse Flesh Drove Hoof 16 x 8–
8– Bear Hunt Running Over Buffalo Range 13¾ x 8	50– Old Timers at Stage Coach 10 x 7 (watercolor)	96– Wrangle for [illegible] (watercolor)
9– Bucking Bronco 8 x 12¾	51– At the End of the Rope 18¾ x 7	97– The Scouts Return 9¾
10– Bringin' Home Bacon 11 x 8¾ (watercolor)	52– Prospectors 10¾ x 8	98– Winter Pastime 14 x ¾ water Oak
11– On the Move 13¾ x 9¾	53– Planning the Attack 18 x 15	99– Throwing the Hammer Duel 7 x 8¾
12– Buffalo Hunt (various) 17¾ x 8¾ cover	54– Pipe of Peace 8 x 7	100– The Buffalo Hunt 19¾ 18¾ x 9¾
13– On the Trail 7 x 9¾	55– Medicine Man 10¾ x 8	102– Counting Coup 13¾ x 9¾
14– The Pony Post 10¾ x 8	56– Bronc to Breaking 11 x 9¾	103– A Dreamer's Tepee 13¾ x 9¾
15– Capturing the Grizzly 15 x 8¾	57– Bronc Wrangling in a Low Camp 11 x 8¾	104– Rider of the Rough String 17¾ x 9¾
17– Catch Rope 9 x 7¾	58– Roping a Grizzly 7 x 8¾	105– Prayer Legends (Stagecoach) 13¾ x 9¾
18– Caught with the Goods 10 x 9¾	59– Red Man's Warpath 16 x 7	106– The Two Bulls 9¾ x 8
19– Cowboy 9¾ x 8	60– Roping a Bear 7 x 9	107– Our Wagon Is Ready 13¾ x 9¾
20– Call of the Law 13¾ x 8¾	61– Swimming Their Bed 11 x 10¾	108– When Wagon Trails Were Few 20 x 9¾
21– Custer's Last Fight Custer 16 x 9¾	62– Scattering the Colors 11 x 8	109– In Belated Greeting 14 x 10
22– Return of the Warriors 13¾ x 9¾	63– Stampede 16 x 9¾	110– Piegan Warrior's Courtship 9 x 8
23– The Water Gap 9 x 13¾ water color	64– Son Hunting 8 x 15¾	111– Buffalo in the Water 13¾ x 9¾
24– Breaking Before 13¾ x 9¾	65– Stewart Party Arrested 15 x 8¾	112– Where the Deer & Elk Roam 15¾ x 6 (center cut)
25– Close Enough Indian Head 8 x 11 (center cut)	66– Single Handed 14 x 9¾	113– Trapper's and Trader's 9¾
26– Doubtful in the Range 14 x 9¾	67– Stalking 8 x 8	114– When West Was Young 14¾
27– Disputed 11 x 14	68– Stampede 15 x 9	115– Buffalo in the Water 13¾ x 9¾
28– Dance of Jugglers 8 x 9¾	69– Sage Brush Scout 13¾ x 8¾	116– Bull in Caution 7 x 9
29– In the Wake of the Buffalo Runners, 10 x 8	70– Saying Grace 9 x 8	117– Trapper's and Trader's 9¾ Indians Bill Bronco 20 x 9¾
30– Early American 10¾ x 9¾	71– When Two Men Take War 20 x 9¾	118– Breaking Camp (Rough Horses), 9¾ x 13¾
31– Ed [illegible] the McDonald 11 x 8¾ (center cut)	72– In Enemy Country 13¾ x 9¾	119– Riding 'em 13¾ x 9¾
32– Fight [illegible] (watercolor)	73– The Medicine Man 11 x 8¾	120– Indian [illegible] 9¾ x 8
33– Fight Wagon Train 15 x 8¾	74– Pipe 11¾ 20 x 9¾	121– Stalking the Herd 14 x 10
34– Finding the Trail 11 x 13	75– War Council 11 x 8	122– Death of a Leader 9¾ x 13¾
35– Ghosts of Past 9 x 6¾	76– The Attack 9¾ x 8¾	123– Prayer before 9 x 7
36– Handling the Right Way 9 x 9¾	77– The Attack 17 x 9	124– Buffalo [illegible] 14 x 7 (watercolor) and white) 8¾ x 11
37– The Herd 13¾ x 9¾	78– The Leader 11¾ x 9¾	
38– Warriors of the Plains 8 x 6	79– The Medicine Man 8	
39– Invasion of the Sun 15¾ x 9¾	80– Two of a Kind 13¾ x 9¾	
40– Indian [illegible] 9 x 9¾	81– [illegible] 8 (watercolor)	
41– Bound Down 11 x 8¾	83– When the Horse [illegible]	
	84– The [illegible] 13¾ x 9¾	
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Books

New Info: Custer Did Not Disobey Orders

LAST STATEMENT TO CUSTER. *By John S. Manion. Monroe County Library System, 3700 S. Custer Rd., Monroe, MI 48161. 40 pages. Limited to 300 copies. $10.75.*

Whoever said there's nothing new in the Custer story should hang his head. All those who insisted Custer disobeyed General Alfred Terry's orders prior to the Battle of the Little Big Horn also should hang their heads. And a couple of our English brethren who publish "well researched" and "definitive" studies on Custer can shoot themselves.

They may have to, for the most significant discovery on Custer in more than 50 years is contained in this book: Custer did not disobey orders; the affidavit from Mary Adams was authentic and her affidavit showed that Terry released Custer from the famous letter of instructions. Terry did so in conversation with Custer after the Terry-Custer meeting aboard the steamboat *Far West*.

This book was not published by one of the major publishing houses but by a library. Get yourself a copy for I guarantee they won't last long. This is a milestone in Custeriana.

It always was believed by Custerphobes that the great soldier disobeyed a written letter of instructions from Terry prior to Custer's departure from the *Far West*. Later the affidavit from Mary Adams, Custer's cook, was published. She said she heard Terry talking to Custer in Custer's tent AFTER the meeting on the *Far West*. Terry's words released Custer from the letter.

The author's discoveries prove the Mary Adams' affidavit to be honest and unquestionable. He found the missing link proving there were two black servants, Mary Adams and Maria Adams, sisters who were both in the Custer household. The author establishes Mary's presence at the meeting with

General Alfred Terry

Terry and Maria answered the door when news was brought to Mrs. Custer of her husband's death.

Custerphobes always debunked the affidavit as an attempt to save Custer's reputation.

To reveal how the discovery came about would be a disservice to readers. They should enjoy the detective work by John Manion.

Since Manion's book was published he learned that in 1881 Mary and Maria Adams traveled from Bismarck to Fort Benton, Montana, aboard the riverboat *Nellie Peck*. Mary Adams died shortly thereafter. Maria Adams married Duke (that's his first name, not his title) Dutrineille on Sept. 3, 1881, in Montana. When Maria died in 1939, she was survived by one of her three daughters and three grandchildren.

So Custer did not disobey orders! All you Custerphobes eat your hearts out!

— John M. Carroll
Bryan, Texas

OVERSHADOWED BY BILLY

JESSE EVANS: LINCOLN COUNTY BADMAN. *By Grady E. McCright and James H. Powell. Creative Publishing Co., Box 9292, College Station, TX 77840. 1983. 239 pages. $15.95 hardbound.*

Billy the Kid overshadowed everyone in New Mexico's Lincoln County War. Folks remember him and they forget Pat Garrett, Alexander McSween, John Tunstall, Governor Lew Wallace and all the nefarious members of the House of Murphy.

The person Billy should not have eclipsed was Jesse Evans, the only gunman Billy ever feared. Evans was more deadly, quicker with his wits and a superior leader. Jesse Evans should have dominated the Lincoln County conflict in ways that Billy could only envy. Yet Evans has been ignored and the Kid remains a household word.

Maybe it was because Jessie Evans chose to fight alongside the "black hats." Evans began his career as a cohort of John Kenney, the "King of the Rustlers," who marauded near Mesilla and Las Cruces in southern New Mexico. Evans next sold his gun to the House of Murphy in Lincoln and many historians believe he killed Englishman John Tunstall.

After the Lincoln County War, Evans performed one of the most dramatic murders in western history. In a rage he shot down Houston Chapman, a one-armed attorney. As Chapman lay in the street, Evans poured whiskey over his body, fired another shot and set the clothes on fire.

A year later Evans participated with John Selman's "Scouts" during a Lincoln County plunder-rape orgy before moving to Fort Davis, Texas, and killing Ranger George Bingham. For that stint,

TO UNZO
DUCTION

Evans was sent to the Texas prison from which he escaped two years later, in 1882. The gunman's trail ended with that drop over the wall and all efforts to trace him have failed.

The two authors bring up to date a fine biography by Ed Bartholomew published in 1955. Once we get past a bizarre introduction about crime in New York by playwright Irving Metzman, the two provide a narrative worth reading.

Footnotes close each chapter and the an appendix lists the House of Murphy and McSween-Tunstall supporters. The story ends with a chronology of events in the Lincoln County War.

Though most of this biography is not new, it does present a slightly different perspective. The struggle is not seen from the viewpoint of Billy the Kid, but of Jesse Evans, a gunman on the other side.

— Leon C. Metz
El Paso, Texas

KANSAS INDIANS

THE END OF INDIAN KANSAS: A STUDY OF CULTURAL REVOLUTION, 1854-1871. *By H. Craig Miner and William E. Unrau. The Regents Press of Kansas, 303 Carruth-O'Leary, Lawrence, KS 66045. 179 pages. Hardcover. $14.95.*

This is another sordid chapter in the history of Indian-white relations. Here the subject is Indian Kansas, less publicized than the Five Civilized Tribes' "Trail of Tears," but no less despicable and heart-braking.

The authors, both historians at Wichita State University, provide the first thorough treatment of the forced removal of 10,000 Indians from eastern Kansas. Their report is shocking in the extreme.

This displacement affected more Indians and took more government and military effort than the notable western campaigns that followed. The story is replete with corruption, incongruity, bureaucratic obstinacy and tribal factionalism.

The authors regard mid-19th Century Kansas as a "moral testing ground where the drama of Indian disinheritance was played out." Originally designated as a permanent Indian reserve, Kansas became an open federal territory when "not one foot of it was legally available to the public."

The portrayal of once-powerful eastern tribes — Delaware, Shawnee, Wyandot and Potawatomi among others — besieged by railroad sharks, land grabbers and the government's "policy of calculated vacillation" is described in painful detail.

We learn of one tribe after another falling like dominoes before a wave of emigrants and corporate vultures. There was no turning the tide and few people wanted to. This brazen and outlandish behavior was winked at by government officials who were themselves often deeply immersed in scandal.

However, the authors take a strange position saying: "In retrospect, it is obvious that, far from being purposely sinister, the outcome was wholly American." The government, Miner and Unrau state, "did nothing to the Indians it did not do to its own citizens."

Does this mean the government was just being practical, that business routinelyrode roughshod over everyday people regardless of creed or color? Perhaps, as the authors find, events couldn't have happened otherwise, human nature being what it is.

Quite accurately one government dignitary looked upon the legacy of Indian Kansas and concluded: "It seems as if the Devil had changed his residence, and gone to Kansas, for certainly no such attrocities could be committed without his leadership."

— Jeff Nathan
Los Angeles, California

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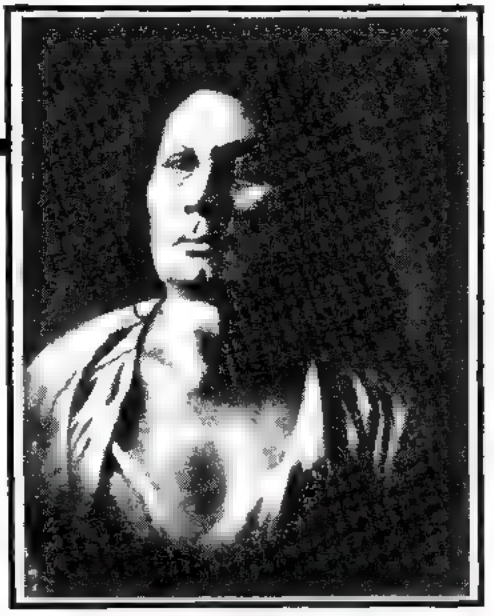
David Barry

The Little Shadow-Catcher of the Plains Indian

By GENE PRIGGE

Photos courtesy Douglas County Museum

Illustration by E. L. Reedstrom



Chief Gall

DAVID Barry wasn't much more than five feet tall. As a young man the diminuitive photographer wore a great, dark mustache, sometimes rolled into a handlebar when he was feeling spiffy, which he usually was.

In his early career he was a master of self-promotion, selling his photos of the West to the major newspapers and magazines of the day. But he died broke in 1934, reduced to taking pictures in exchange for rent.

At his peak Barry hobnobbed with the upper crust of frontier society. Barry's legacy was some of the most impressive photographs of American Indians ever taken.

Unfortunately that legacy is now under a cloud. Some of Barry's most important and best-known photographs, including those of General George A. Custer and his men, may have been taken by the man who brought Barry to the West, Orlando Goff.

BARRY met Goff in Columbus, Wis-

Gallery of Portraits from the Plains

By DAVID BARRY

Chief Gall

Sitting Bull

Rain-in-the-Face

Red Cloud

Barry got his wife all duded up and with painted background she looks like, well, like Annie Oakley!

consin. Goff worked in a nearby town and hired the teenaged Barry to carry water and assist with other photographic chores in his Columbus studio. Goff eventually moved to Dakota Territory and sent for his young water carrier to help with the work there.

Goff went west in 1871. He was welcomed in a story in the Bismarck Tribune, so the date of his arrival is certain. But Barry's arrival in Bismarck in unknown and this fact is crucial to determining which photos are Barry's.

Barry said he arrived in Dakota when he was 20. That would have been in 1874. But the earliest record of Barry in Dakota is 1878 when a woman there wrote of his arrival in her journal. The Bismarck Tribune carried no notice until 1879.

If Barry was in Dakota in 1876, he may have taken the photographs of Custer which he claimed were his. If not, he may have sold the work of Orlando Goff as his own.

At that time eastern readers were fascinated with the "wild West." Everything about the Little Big Horn battle was grist for the publishing mill. For years after the battle, Barry sold and resold photographs of the men involved. But there remains a suspicion as to whose photos Barry sold.

BARRY eventually leased Goff's Bismarck business and presumably had access to Goff's negatives. Some negatives were stamped by both Goff and Barry, although the two worked separately. Both men traveled to military outposts to photograph soldiers for the folks back home. They also photographed Indians for eastern publications.

One photographer accused Barry of stealing a photo from a Moorhead, Minnesota, photographer, marking it with his own copyright and selling it as his own. The photo is of Chief Joseph of the Nez Perce.

But not everyone agrees the man was dishonest. If the accusations are true, why didn't Goff himself complain about the stolen picutres. Goff was elected to the Montana legislature in 1905 and certainly was not incapable of raising a fuss if his work was stolen.

More importantly, the work that is verifiably Barry's stands on its own.

Photographing Indians in those days was difficult at best. Barry made his living photographing the Sioux at a time when many of the famous old chiefs were still alive.

He took the first known photo of Chief Gall, following Gall's surrender in 1881. He heard of the surrender and went to Fort Buford where Gall was taken, offering the chief $6 for a portrait.

Gall, perhaps under duress, complied but held a blanket in front of his face. Barry then approached Gall, removed the blanket and shot the photograph that has been reproduced hundreds of times for more than a century.

Elizabeth Custer on seeing this portrait of a man partially responsible for the death of her husband wrote to Barry:

"Painful as it is for me to look upon a pictured face of an Indian, I have never dreamed in all my life there could be so fine a specimen of a warrior in all the tribes as Chief Gall."

Barry himself said while he was developing the negatives Gall came to him and wanted the photograph back. Barry refused and Gall pulled a knife. Barry grabbed a nearby revolver and a standoff ensued until Gall left quietly. The two later became friends.

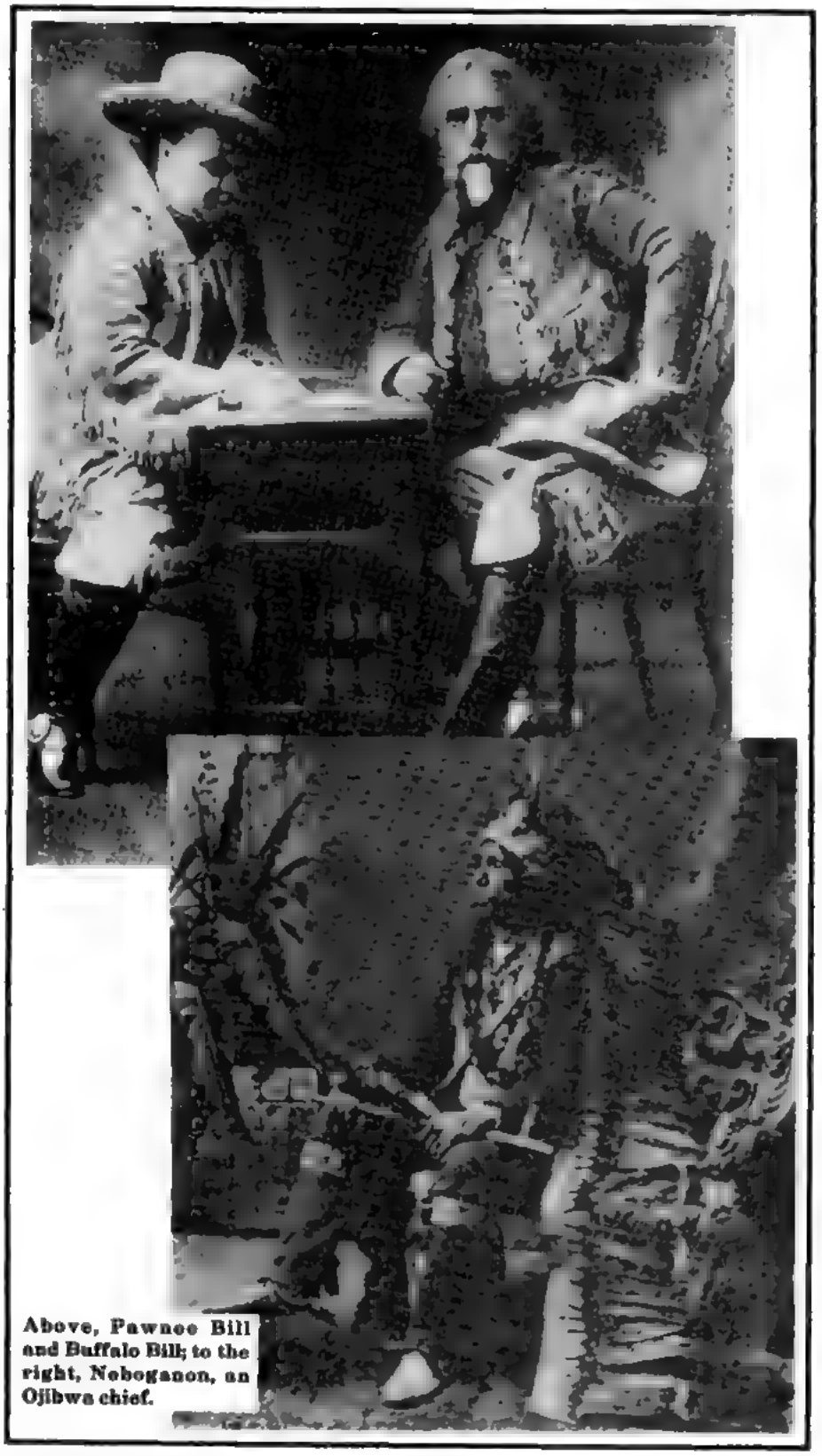
BARRY also took many photos of Chief Rain-in-the-Face and the two became close. After Rain-in-the-Face was captured he was caught shooting dice at the fort where he was being held. Apparently the Indians who surrendered with Rain-in-the-Face had the run of the fort as long as they behaved.

Rain-in-the-Face was put in the stockade for his gambling. He heard that Barry was visiting the fort and implored his keeper to allow him to meet Barry. The two met and Barry eventually won the chief's release.

Barry was forced by lagging picture sales to move to Superior, Wisconsin, in 1890. One of his last visitors in Dakota was Rain-in-the-Face who came to say goodbye and give Barry his moccasins. The chief said:

"Take them and when you look at them think of Rain-in-the-Face. My heart is on the ground."

Barry traveled throughout Dakota in



Above, Pawnee Bill and Buffalo Bill; to the right, Neboganon, an Ojibwa chief.

his studio-wagon, visiting military outposts and Indian villages. The Indian wars were winding down but travel was still risky. The Sioux were continuing to kill an occasional white settler.

IN 1890, popular interest in the "wild West" began to wane and when Barry moved to Superior many of his glass-plate negatives were destroyed or left in Dakota. In Superior, Barry did portraits and often photographed the ships that visited the city at the head of Lake Superior. His studios were filled with the Indian artifacts collected during his travels.

Included in his collection were toys of Sitting Bull's daughter; General Custer's camp chair and the moccasins of Young-Man-Afraid-of-His-Horses.

Barry moved from Superior to New York's theater district where he hoped to make a living photographing the theater crowd. A year later he returned to Superior.

Barry was offered thousands of dollars for his negatives and artifacts but repeatedly refused to sell, although many of his things were given away.

The photographer willed his collection to the State of North Dakota, but nullified the will when he learned the state was selling unmounted prints of his photos for 50 cents when he was getting $6 per mounted print.

His business card in Superior said "Photographer of famous Indian chiefs." Later he changed that to "Photographer of all noted Indian chiefs." But his catalog listing Indian and western portraits probably brought him little income.

IN 1924, Barry's brother, Michael, began sending Barry money to live on and by 1929, Barry was taking photographs for his landlord in exchange for rent. In 1932, Barry's wife died.

Two years later Barry died after being confined to his studio following a streetcar accident. The press called his studio a musty, dusty place filled with prints and Indian artifacts. He was also remembered as a great teller of stories. Superior old-timers remembered Barry as having a stock of tales he'd tell over and over.

When Barry died on his 80th birthday few knew much about him, other than that he was a friend of Buffalo Bill, cowboy actor W. S. Hart and others associated with the glamour of the West. His estate included more than 1,000 negatives, many now at the Douglas County Historical Society in Superior, at the Denver Public Library and in private collections.

On July 4, 1933, the Cody Museum in Cody, Wyoming, dedicated a David F. Barry room and of course Barry ws invited to attend. But he wrote to the museum saying he could not make it.

"The public is not interested in me," he wrote, possibly covering up the fact that he could not afford the fare. "The less said the better."

The Barry room at the Cody Museum eventually gave way to other displays leaving only a tombstone in Superior as a monument to this photographic genius. On it is engraved "The Little Shadow Catcher," the name given Barry by the Indians.

Wild Old Days

Battle for a Kansas County Seat

By S. J. McKEE
Photo Courtesy of Author

IN central Butler County, Kansas, lies the thriving little town of El Dorado. Sixteen miles south in the same county lies El Dorado's sister city of Augusta, also alive with quiet, law-abiding folk.

Between the two towns exists a friendly rivalry in business, sports and social events. But this rivalry has not always been so friendly.

It began in 1857 when Augusta and a smaller town, Chelsea, challenged El Dorado for the Butler County seat. Chelsea, due to its size, lost early leaving only the two larger cities to battle it out.

At the time the laws governing elections for county seats were not clearly defined. Elections were held at any time: It simply involved getting as many people to vote as possible, in any way possible.

Courtesy Butler County Historical Society

Butler County Courthouse in El Dorado, Kansas.

In the book *The Kingdom of Butler*, Martin Vaught, the first Butler County register of deeds recalled, "In some cases horses and dogs voted." According to Mr. Vaught, in one election held in El Dorado, the first 200 names were taken in alphabetical order exactly as they appeared in the city directory. For that infraction, one election clerk spent six months in a penitentiary since all those names appeared on the books in his handwriting.

The controversy over the courthouse simmered over the next 14 years. In 1871, Augusta seriously wanted the county seat moved to its own city limits. The citizens of Augusta presented petitions to force still another election.

El Dorado, with a population nearly tripling Augusta's, did the same and the battle began.

EL DORADO claimed those who signed the petitions had to be registered voters, realizing their larger populace would benefit them. Augusta disagreed and after much argument, the matter was referred to the Kansas attorney general for his decision. The best thing Augusta could have done was withdraw their petitions until the decision was handed down.

But they didn't and this made it easy for El Dorado to publish the required election notices and force the actual voting. Even then, Augusta won by a small margin.

However, El Dorado did not release the records contained in its courthouse because the citizens felt the attorney general might not uphold this election. El Dorado's city council filed an injunction against Augusta to prevent any such removal. Augusta, in turn, succeeded by getting the injunction dissolved and made preparations to obtain the county records by force if necessary.

During the night, Augusta persuaded the county sheriff to move the county arms to Augusta. The courthouse doors were secured so none of the officers could obtain entry the following morning.

A group of concerned El Dorado officials and businessmen arbitrarily forced open the doors. Amid rumors that the citizens of Augusta intended to remove the records during the night, these men proceeded to barricade the courthouse. One former military man was quoted as saying, "A regiment could not take it without artillery."

El Dorado's men armed themselves

and several of them stayed on the roof of the courthouse throughout the night. But the Augustans, apparently forewarned, did not come. But two days later they came in throngs with ox wagons, prepared to load everything and carry it to Augusta.

The streets of El Dorado were deserted quickly. Armed men were sequestered inside and atop the courthouse as well as in many of the surrounding business places.

During the hours of seige, several leading Augusta citizens were hustled off between two sturdy El Doradoans into back rooms of buisnesses where they faced men wielding shotguns. They were cautioned against going near the courthouse.

In the late afternoon, one of the Augusta councilmen who was missing for several hours suddenly appeared on the courthouse steps where he made an impassioned speech persuading his constituents to return to Augusta — without the county records.

Within a few days, the attorney general handed down his ruling that the election had been illegal. County seat elections could be held no more often than every five years and petitions must be signed by registered voters only. Augusta had lost, and El Dorado's rapid growth insured its continued reign as county seat for Butler County.

ALTHOUGH the civil war between Augusta and El Dorado has long been ended, rivalry still exists between the two towns.

A recent visitor to Augusta noticed an old building now housing a museum. A sign at the entrance says "Early Butler County Courthouse." He turned to the museum curator and asked, "How long has El Dorado been the county seat?"

The answer came swiftly: "Since the night they stole it."

Pawnees in Sham Battle

DURING the building of the Union Pacific Railroad, Indian opposition increased as the railroad extended west. In western Nebraska, the area around Sidney was the scene of frequent raids and attacks in the early years of railroad construction.

With the stationing of troops along the railroad and at Sidney Barracks, the

military presence deterred depredations. By 1877, the Indian threat was largely removed from the southern panhandle.

In the summer of 1876, the famed Pawnee Scout Battalion was reorganized for field service. First organized in 1864, the Pawnees proved a valuable asset to the army during the years of sporadic fighting with the Sioux and Cheyenne.

Major Frank North was ordered to the Pawnee reservation in Indian Territory to enlist 100 scouts for duty. In October, the battalion arrived at Sidney Barracks, where they were issued arms and horses. That winter they participated in a successful campaign against hostile Cheyenne in central Wyoming. Afterward, the battalion returned to Sidney to remain in quarters awaiting muster out orders.

IN early April, a sham battle was arranged to give combat training to several companies of the Third Cavalry then stationed at the post. The Pawnee Scouts were utilized as hostiles in this early example of "war games."

The Sidney Telegraph gave the following report of the battle several days later:

"A great many of our people were enticed on Tuesday forenoon into engaging carriages, or leisurely sauntering to the southern and northern portions of the city to witness a mock battle between detachments of the three cavalry companies at this post, and the company of Pawnees, under Major North.

"Every available vehicle was brought into use, and the house tops and canyon-girt hills wre alive with expectant people at an early hour. The fight took place on the plains and in the hills just north of the railroad tracks.

"The troops were under command of Lt. Hammond, a gallant young officer who had already won solid renown at the front. The troops leave the barracks on the south side of the track, but have scarcely marched a rod before there appears on the hills a mile away, several mounted Pawnees who rush furiously in various directions, and quickly disappear, leaving the hills apparently to the sole possessions of the wandering cattle, and afrightened rabbits.

"Two detachments of cavalry cross the tracks near the city, while the third company oblique to the right, crossing the rails a half-mile to the east, and on sharp trot make headway toward the hills.

"Suddenly there appears scattering bands of Indians, instantly followed by larger bodies and dash madly down on the cavalry company in the valley below. The boys in blue stood their ground nobly, while the hooting and howling Pawnees dashed about them vainly attempting to stampede them.

"Both parties used blank cartridges freely, and the scene was one of intense interest. The Indians would retreat hotly pursued by the troops, only to rally and reappear when least expected.

"The fight lasted two hours, and there were but few accidents. Private Ebener, of Company B, was quite severely injured in the face by a too short range cartridge shot by a Pawnee. Aside from this there were about a dozen slight accidents. The object of the fight was to see how well the American horses would stand the clatter, and the result demonstrated that the Americans had their horses in excellent training."

Writing her brother in New York state, Caroline Winne, the wife of the post surgeon, also noted the mock engagement:

"Last Thursday there was a sham fight between the Pawnees and one company of cavalry here. It was exciting to see the wild wretches ride. They didn't succeed in stampeding the cavalry, but several men were badly burned with powder.

"The horrid savages would ride up so close and fire in their faces. One man was shot square in the eyes, and Charlie (her husband) is afraid he will lose the sight of both eyes. It is supposed to be good practice for our men, particularly for the recruits, but the whole thing was hardly worth the blinding of one man."

Several weeks later, the Pawnee Scout Battalion was mustered out of service at Sidney Barracks. The Pawnees returned to their reservation in Oklahoma, never again to be used as a fighting force in the Indian Wars.

— Nebraska State Historical Society

Life of an Old Cowboy

STIRRING ADVENTURES OF A COLORADO-WYOMING PIONEER

By SAMUEL L. WILLIS — Submitted by Nadine Willis Rice

Illustrations by Mick Harrison — Photos courtesy Nadine Willis Rice

SAMUEL Lawrence Willis, Colorado-Wyoming pioneer, was one of four brothers. They all married but had no children except my grandfather, Raymond Willis, who had a son, my father, William. William died in 1968.

All of the brothers lived exciting lives but I think that my uncle, Lawrence, had the most exciting of the four.

In his way, he was an extremely kind man. Nobody ever went away from his hotel in Rock Springs, Wyoming, hungry or without having a warm night's sleep.

One old prospector came in with only a violin on him; no money, no papers, not a thing but that violin. He died in his sleep that night and Uncle Lawrence kept the violin. I was given the instrument when I was six and I still have it.

Uncle Lawrence spent a lot of time at the race courses on the East Coast and at one time made quite a lot of money racing his Arabians.

At the time he bought the hotel in Rock Springs he changed the name to Lydes Place in honor of his wife Lyde (Lydia). For a while they ran a bordello along with a saloon and it was well-known throughout the Old West.

Lawrence died in 1926 in Colorado and is buried next to his wife, Lydia. The enclosed is excerpted from The Trail magazine's October 1925 edition, published by the Sons of Colorado. The story was titled: "Early Days in the West: Events in the Life of an Old Cowboy."

— Nadine Willis Rice

I, S. L. Willis, commonly known as "Sam" Willis, was born on top of a

Samuel L. Willis, and his wife, Lydia.

mountain at a little place called Splintersville, Barber County, Virginia, in 1857.

My father emigrated to Colorado Territory when I was a small boy in 1870. Father settled on a homestead in Larimer County in what is known as Pleasant Valley, having squatted there before the government surveyed the land.

The hole where the French buried the powder to keep the Indians from finding it was on this homestead, and that is where the Poudre River derived its name. Cache La Poudre is French for burying powder.

My father died some years ago, and my mother, at the age of 92 years, passed away on the 19th of this month.

I began riding the range at the age of 13 for my uncle, J. H. Yeager, a large cattle owner at that time, who came to Pike's Peak during the first excitement. I rode in the summertime and went to school in the winter. The school was in La Porte. Montie Blevins, now a stock man in North Park, and I were the only white children in school; the others were half-breeds or full-blooded Indians. Denver McGaa, or Denver Jones, as he was known, the first child born in Denver, was a scholar in the school.

In 1873, I rode for Loomis and Uncle Ben Whitbee of Fort Collins, on the first roundup ever held in the territory. We started at what was known as the Big Barn on the St. Vrain. John Ish was captain of the roundup.

We had barely started when two young men, Clarence and Theodore Chubic, horse-whipped a man by the name of Phillips and chased him away from the roundup telling him never to come back. The next day, while we were at Mariannas Lake at the mouth of the Big Thompson where it comes out of the foothills, Phillips rode over to the roundup. The Chubic boys started to run him off again, when he jumped off his horse, threw his gun across his saddle and killed Clarence Chubic. He then mounted his horse and rode into the mountains. A posse followed, but did not find him.

I went home that evening driving some cattle.

The folks were all away except mother, so I stayed there that night. The next morning I got up early to get back to the roundup and went to the barn to feed my horse.

In a little while mother came running out, greatly frightened, and called to me to come to the house. She said there was a crazy man in there with a big gun in his hand. I surmised who it was, so I went to the house and sure enough, it was Phillips, hiding behind the kitchen door.

I told him to come out, that no one would harm him, which he did and had breakfast with us. He had left his horse some place and was on foot. He said he wanted to get to Fort Collins to give himself up. I showed him the way to the river, which he could follow, keeping out of sight in the timber, and get to Fort Collins all right.

Tom Patterson and Judge Belford of Denver heard of the case, came to Fort Collins, and cleared Phillips, making no charge for their services. The day of the argument, Tom Patterson had Mrs. Phillips and nine children before the jury.

Some time later we were rounding up at the Big Bend of the Poudre, near where the town of Windsor is now. There was a fellow by the name of Thomas Burris with us, who was always looking for trouble.

While we were still all sitting around eating supper, Burris and a boy by the name of John Suitter, got into some kind of an argument and Burris started around the wagon after the boy with a butcher knife, when young Suitter shot him dead. Burris almost fell into my lap. Suitter was discharged at the preliminary hearing.

That fall, while I was at home on the farm for a while, there was a fellow came through the country with some horses that I learned afterwards were stolen. He was called "Happy Jack" McManis.

One night while he was camped down on the river, I thought I would ride down to his camp and visit with him and perhaps trade horses. He was a fine looking and very entertaining fellow for a young cowboy like myself to meet.

We were sitting by the fire talking when some ten or a dozen men rode up, all wearing masks. McManis tried to draw his gun but was too late as they had him covered. They took him away and he never was seen or heard of afterwards. One of them came up to me and said:

"Now, young man, you get for home." I replied: "You give me time to crawl up in the middle of that bronc of mine and I'm gone." I never knew but always thought the fellow who addressed me was my uncle.

A FEW nights after this occurrence, I thought I would walk down to La Porte and see how things looked as a neighbor boy by the name of Tom Bingham had a shooting scrape with a fellow in Bill Patterson's store, one bullet from Bingham's gun plowing a furrow across the top of the fellow's head. That was all the damage done and neither one was arrested.

I stayed around until about midnight and started home. Meanwhile, I had a bad attack of rheumatism in my knee and could hardly walk. I had to pass an old Frenchman's place by the name of Marisitte, and stopped in front of his cabin to rest my knee.

It was moonlight and there was a little snow on the ground. I noticed three squaws coming along. I knew all of them but they did not recognize me. They went into the cabin and in a few minutes

out came the old man with an old 50-caliber needle gun and proceeded to take a shot at me.

I called to him, telling him who I was, but it didn't do any good. He kept on shooting while I ran as long as he could see me; however, when I slowed down I didn't have any more rheumatism.

IT seemed to be an unlucky year for me. In a few days Newton Vorce, who afterwards turned out to be the noted Deer Trail desperado, came along and stopped to visit with me for a few days. He was a Virginian as well as myself. There was going to be a squaw dance at John Palmer's so Vorce and I went over.

Everything went on fine until about 12 a.m. when a fight started out in the yard. I went out and it seemed to me that everyone in the county was mixed up in it.

One of the Bingham boys and myself were not very good friends. He was a big two hundred-pound fellow. When the disturbance was over we sent Montie Blevins to Fort Collins after Doctor Stevens. He came and patched the boys up and the dance went merrily on until daylight. But Bingham went home and the next morning as we were going by, Mrs. Bingham came out and called us in, saying Matt had his ear most cut off and she wanted me to help her dress it. I went in and helped her fix him up.

That winter Vorce and I went up to the E. W. Whitcomb ranch on the Box Elder to take some lessons at bronco riding from a black man known as Bronco Sam, who was the best rider I ever saw, and I have seen quite a few.

The next spring I went to ride for Loomis and Trimble and took a bunch of cattle up into Wyoming to their ranch on Horse Creek. I worked there until September when we gathered all the stock, about 2,000 head of Texas cattle, and moved them over on the Sabile at the foot of Sheep Mountain.

We were only there a few days when the Indians run off all our horses, leaving a little black Spanish mule I had picketed. I rode him to Fort Laramie the next day to report the loss; the next day I rode to Cheyenne, 93 miles, and the following day to La Porte. Nig, as I called the mule, thought he had gone far enough and proceeded to balk. It took all the Indians in town with rocks and clubs and brooms to chase Nig and myself out.

That fall the first excitement in the Black Hills broke out. I heard talk of the wonderful gold diggings in Dakota Territory and I got the fever along with hundreds of others.

"... horses with nose bags on ... Indians ... all had disappeared in the timber."

My brother and I, together with neighbors, went to Cheyenne and outfitted with a party of about 75 men, all well armed for the Sioux Indians were not feeling very good over the whites coming into their country.

Our train was the first of the stampede leaving Cheyenne in the fall of 1875. We had a nice trip though we had pretty cold weather most of the time.

When we got to Running Water, where the town of Lusk now is, we camped for the night. I remember there was a fellow from Ohio with us. He said he could out-run anyone in the camp.

Ben Morrison and Billy Likens had been riding the range with me the year before and they asked me if I would race the fellow. I said yes, I would run him for 50 yards. So they put up twenty dollars and I beat him easy.

The next day we crossed over the mountain on to Lance Creek. A bunch of tenderfeet from Chicago, about 25 in number, had fallen in with us. They had hired a six-mule team from Jim Abner in Cheyenne, to take them to Custer City. In coming down off the mountains onto the creek we found a band of old squaws and old men cutting teepee poles.

The mule team was about a half-mile behind the rest of the outfit. The Indians came across the trail cutting the mule team off from us and that bunch of fellows thought they were gone, but the Indians never bothered them. It was amusing to see those fellows beating the poor mules to catch up with us and they never fell behind again on the trip.

We arrived in Custer City and found

everything in a hustle and bustle — prospectors everywhere and going in all directions. Log cabins were going up all over the town. We went up on French Creek, near what was known as Calamity Bar, named after Mattie Canary, better known as "Calamity Jane." She drove an ox team in there for a Mr. Atharp that summer and panned out some gold on this bar.

As the snow was deep over in the Deadwood country we concluded not to do any prospecting until spring. We went to cutting timber for a saw mill. The Indians came down a ridge where we were working almost every day and ran off stock, quite often killing someone, but luckily they did not molest us.

We worked with a rifle beside us all the time. One day we were eating dinner while our horses were out in front of the cabin with nose bags on. We heard an Indian yelp and every man grabbed his gun and ran out, but there was not an Indian or a horse in sight — all had disappeared in the timber.

I stayed there until sometime in May when there was a big outfit getting ready to go out to Cheyenne, so I joined them. The Indians were bad, murdering people every day.

A man by the name of Al Swarenger had started a dance hall. I went down that night and was in the first set danced in the Black Hills.

About three in the morning as I was leaving to go back to camp, upon opening the door I saw two big buck Indians peeking into the dance hall. We exchanged two or three shots, but neither did any harm. By that time there were 50 men gathered. We chased them up Hill's Gulch but lost them in the timber.

Our outfit pulled out for Cheyenne in a few days and the rest of our boys, including my brother, went over to Deadwood.

Our train consisted of about 140 men, about 100 well-armed and 50 who would be in the way in case of Indian trouble. One big Dutchman from Salt Lake came near killing me one night when we were on guard duty and I guess would have succeeded only I saw what was coming and beat him to it, getting the drop on him.

It was in the afternoon when we came to what was known as the "Last Water" at the head of Red Canyon. When we corralled our wagons we got together and elected an old Indian fighter by the name of James Beagle as captain of the outfit. He said he would not take the position unless every man would take oath that he would obey every command given.

Everyone complied. That evening we all had to mount a horse, carry a rifle and go down to the water hole and water the stock. There was a big brown horse that no one had ever been able to ride and which had killed one man. Beagle told me to ride this horse. We expected to be fired on every minute as the Indians had been following us on both sides all day.

When it came time to mount I buckled a strap around old Brownie and crawled up. He had been worked pretty hard and was thin in flesh so he behaved pretty well, but I always will think if there had been a shot fired I would not have had much use for my rifle as my time would have been taken up in riding.

When we got to the water hole we found the Mitz family, consisting of Mr. Mitz and his wife, besides a black woman, murdered and scalped. Their clothes, trunks and everything were scattered all around.

We buried them and went back to camp, staying there until midnight, when we hooked up and started through Red Canyon. Beagle picked ten men to walk through the canyon as advance guard ahead of the teams. I was one of the ten.

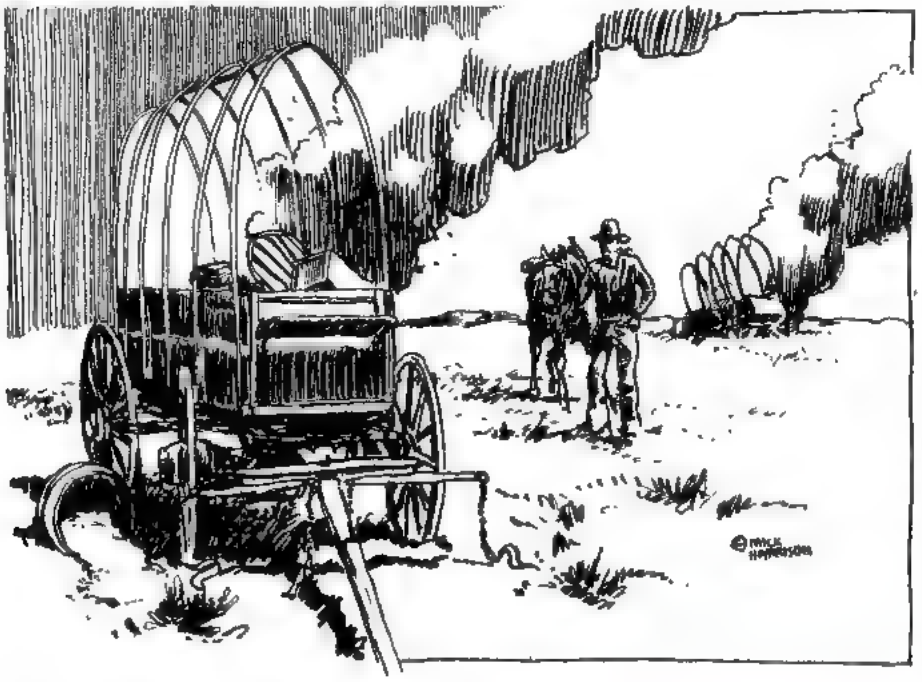
We found wagons torn up and people murdered all through the canyon, and tugs of the harness cut and still hooked to the wagons in order to get the stock away quick. We arrived at the Cheyenne River the next morning just at daylight, 16 miles through the canyon. A man known as Persimmon Bill had a ranch there. He was considered an outlaw. There were several fellows lying dead in his cabin, all shot up by the Indians, while waiting for an escort from Fort Laramie to come after them. We met the escort in a day or so which was going after them. We laid over for one day on the Cheyenne.

A man by the name of Brown, from Salt Lake, ran an express line from Cheyenne to Custer City. He was known as "Stuttering Brown." He came along that evening and told us someone had run off a bunch of his mules. Of course, it was supposed to have been Indians.

Brown went to the ranch and told them that if he lost any more stock he would hang every man on the ranch. He started with a driver in the evening to go over to Jack Bowman's ranch on Hat Creek. We tried to get him to wait until the next day and go with our train, but he said that he had been among the Indians almost 30 years and never had been killed and was not afraid of all the Indians in the country.

He and his man started that night and the next morning about six miles out we found his wagon in the road, the team having been cut loose from the wagon. There were several bullet holes in the spring seat. When we got over to Bowman's ranch we found Brown and his man there. Brown was wounded and only lived a day or so; his man was not hurt.

The Indians had been following us for



"... we found wagons torn up ... tugs of the harness cut ...."

a long way and attacked us on the head of Indian Creek. We corralled our wagons and stood them off for about two hours when they concluded we were too much for them and retreated to a hill under a ledge of rock and watched us until we were out of sight.

The next day in the Hat Creek Mountains we had another Indian scare, which did not amount to much.

When we camped at Rawhide Butte everyone was getting supper just about dusk and at every fire here was a bucket of water to quench it in case of an attack. There was a shot fired and all fires in the camp were out in an instant.

Some fellow close to our wagon had a pony picketed. He ran and jumped onto the pony, dug his heels into him and away he went. When the pony came to the end of the rope it stopped; the last I saw of the fellow he was still rolling.

When we got over on the Platte bottom we met Billy Patterson's outfit going into the hills. Patterson was a chum of W. F. Cody and they hunted buffalo together. There was a fellow named Frank Smith in the train who did not have a gun, so I let him have mine as I knew him well.

Two days after that the Indians attacked them and drove them back. One fellow, called "Butcher-Knife Bill," killed a chief in that fight. Smith, the fellow I had loaned the gun to, was shot. The others came back to Fort Laramie and waited for more help before going on.

We met General Crook's expedition at Big Bear Springs and all of us camped there together one night. There were three scouts with Crook that I knew — Al Green, Kid Moon and Jack Sacket. They wanted me to turn back, but I said no, I had slept in a rifle pit long enough.

However, Crook sent for me to come to his tent. When I went he offered me $150 per month and would furnish me with horses, or $200 per month and I would furnish my own horses, to scout for him. Custer had just been massacred a few days before, so I accepted and turned back with them.

We went up in the country where Custer was killed but did nothing of importance. It was not long until the scouts came back to Cheyenne.

I then went home on the farm and spent the winter. In the spring of 1878, I went up into Wyoming to work in the C-Y outfit for Judge Carey.

The next fall Al Green, Steve Huffey and myself fitted up some mule teams and freighted from Cheyenne to Custer City, Dakota. It was a very hard, cold winter. In the spring of 1879, I worked for the E. W. Whitcomb outfit.

In August I came in to Camp Carlin and joined the Hayden pack outfit and we were all ready to start for the scene of the Thornburg massacre on White River when I was taken sick and the pack train pulled out and left me behind.

When I was able I went to driving bus for Tim Dyer of the Dyer Hotel, the leading hotel of that country at the time.

I remember Van Thomas and Jeff Carr, two officers, coming to Dyer and wanting him to furnish someone to help them take the noted Doc Middleton to the station and put him on the train. They were taking him to the penitentiary in Lincoln, Nebraska. I took the bus and we got him to the depot without any trouble. It was rumored that his friends were going to take him away from the officers that day.

Middleton and I were talking this event over only a few years ago at the Frontier Days in Cheyenne. Middleton wanted me to ride with him on top of the six-horse stage during the sham battle in front of the grandstand. I said, "Nothing doing, Doc. There are some of your old enemies in this country yet and some of these shells might not be blank." He replied, "I guess I won't ride, either; they can pull off that stunt without us."

Late in the fall of 1879, things were getting pretty warm in Carbon County, and N. K. Boswell, U. S. marshal, sent me up to Rawlins to see what I could find out, and just about that time a man called "Big Nosed George" was doing some stealing and also killed some fellows over at the foot of Elk Mountain, at what is known as Rattlesnake Pass.

They caught him and took him to Rawlins and the boys broke down the door of the jail and overpowered Bob Rankin, the jailer, who took George out and hanged him to the flagpole in front of the Odd Fellows' hall. Most everyone had a slice of the poor fellow.

An old friend of mine showed me a pair of slippers made out of his hide the last time I was in Rawlins, and a woman had his skill for a button box. A few days after that they took some fellows down to the stockyards and hanged them, a fellow by the name of Jim Lacy and a fellow called "Opium Bob."

Another fellow by the name of Carter slipped the noose over his head and got loose and ran through the crowd with everyone shooting at him. He got uptown and ran into Bill Smith's saloon, and Smith put him in the icebox until night when he left town and went down into Nebraska and made a good citizen. He was elected sheriff several terms.

AFTER I went to Rawlins to live, the Stock Association wanted me to help them. There was some bad blood between two factions. A fellow called Chico killed a man named Colorow. Then in a few days Jack Cooper killed Chico and a short time later, John Arnold killed Jim Brown.

So it kept going from bad to worse. At the 71 ranch on the Sweetwater they got into some trouble and a fellow named Tregoning killed Henderson. Not long after a mob took Jim Averell and Ella Watson, better known by the name of "Cattle Kate" and lynched them on the Sweetwater. A friend of mine happened to be the only witness. He went by the name of Buchhanan, but his name was Frank Bratten.

I was in Rock Springs when I got a letter from Bratten in Ogden telling me to meet him in Rawlins on a Tuesday night as some of the stockmen wanted him to meet them there and they were going to give him money enough to get out of the country and stay away.

I went to Rawlins on that night and found that he had gone to Rawlins on the Sunday before when he, Tom Horn and some others went out with a team. Bratten was never seen after that.

I was sleeping down on what was called the South Side, when Jim Finley was city marshal, and in the night I heard some shooting outside. I could hear bullets falling on the tin roof overhead. I got up and went outside and

(continued on page 62)

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How to Make Cowboy Coffee

By KAY HAUGAARD
Illustration by
Al Martin Napoletano

WHEN I was a little girl growing up in the farming community of Malin, Oregon, my family had a cowboy friend named Bill Bailey. Yup! Bill Bailey, just like in the song. His ranch was in Langell Valley, far from town.

In the fall, Bill would come by our house on horseback driving his steers to the depot to ship to market. We'd say a few words to him as he passed, then on the way back he'd stop for lunch.

I liked the way Bill dressed like a real cowboy with heavy jacket and shirt, big hat and leather chaps to keep his legs warm. There were even spurs on his boots.

One spring my family visited his ranch for the roundup. I was about seven and I remember sitting on the corral rail watching the men lasso, throw and brand the little whitefaced calves. I didn't like to hear them bawl nor did I like the smell of the hide burning from the branding iron. But when it was over the little critters would bob right up like they'd forgotten all about it.

There was something magical about Bill's ranch house. It didn't have plumbing and was primitively quiet with no radios and there were no cars going by. The only music came from the meadowlarks and red-winged blackbirds.

Breakfast was a real experience. Long before I had gotten up I was lured awake by the smoky scent of wood burning, bacon frying and the rich fragrance of coffee brewing.

After getting dressed I went into the warm kitchen, close to the big black wood stove. Normally I was too young for coffee but on this occasion my mother poured some of the black, steaming liquid into an enamel mug, added plenty of milk and some sugar and put it down by my plate of hot cakes, syrup and bacon.

It was delicious and not only warmed me but woke me so that I was soon begging to ride Prince, Bill's old cow horse.

THAT was my first experience with cowboy coffee. It was good but what I didn't know is that it really should be appreciated black. It's even better after you've been up several hours branding calves in the nippy fresh spring air.

So what makes it cowboy coffee? The fact that you dump the coffee grounds right into the water.

Bill made his coffee by filling an old enamel pot with water and pouring in about half a cup of ground coffee. He put the pot on the hot part of the wood stove and let it rip. When it boiled over he moved it to the warm part of the stove.

COWBOY COFFEE

Use any pan, kettle or pot you have. Put as many cups of water into the pot as you want and turn on the heat. When the water boils remove the pot and wait until it stops boiling. Then stir in about one rounded tablespoon of regular grind coffee per cup of water. Let it stand a couple moments until the grounds settle then pour gently.

Real cowboys couldn't care less about a few grounds in their teeth. This makes pretty strong coffee.

Bill said he always tested his coffee by seeing if it would float a silver dollar. Since it is pretty hard to come by silver dollars now, you might want to try this backup method: See if it will float a horseshoe!

Old West Recipe of the Month

Ginger beer was a frontier favorite. Judith F. Michaels, 12383 18th St., Yucaipa, CA 92399, sent this recipe from a 1902 "how to do" book. When Judith is not cooking Old West recipes in her kitchen, she is a cook for both a Hilton hotel and a French restaurant.

GINGER BEER

10 pounds sugar
9 oz. lemon juice
1/2 pound honey
3 pints yeast
11 oz. bruised ginger root
9 gallons water
1/2 oz. essence of lemon
1 egg white

Boil the ginger half an hour in a gallon of water; then add the rest of the water and the other ingredients. Strain when it is cold. Add beaten egg white and the essence of lemon. Let stand four days. Then bottle it; it will keep many months.

A more modest version can be made following the same method using two pounds of sugar, 4 oz. lemon juice, 1/3 pound honey, 3 oz. bruised ginger root, 3 gallons of water, 2 oz. yeast, egg white and 1/2 t lemon extract.

TRUE WEST will pay $5 for each original recipe published. Barbara Blackburn, TRUE WEST cookery specialist, will judge recipes. Do not submit more than two or three recipes. Send to Barbara Blackburn, TRUE WEST, Iola, WI 54990. Recipe copies cannot be returned.

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TEXAS COWBOY ARTISTS

"Throwin the Hoolihan," 1981 bronze by Jim Ward.

"IT'S important because other artists, men whose work I admire, voted me one of their best."

That's what Bob Tommey said when he was named Artist of the Year by the Texas Cowboy Artists Association.

That title is bestowed annually by secret ballot of the 16 TCA members who vote for the artist with the best overall display in their annual art show and sale. As artist of the year, Tommey received a handmade saddle and a letter of commendation from the Governor of Texas.

A native of Arkansas, Tommey was one of those kids who always was painting, drawing or sketching. He did posters at school, drew on blackboards and used whatever he could find, including house paints because he did not know of the existence of oil paints.

"I had no encouragement, no level of judgement," he said, adding that he became an artist in spite of the obstacles.

"I don't believe in talent," he explained. "It takes interest to become an artist. I've seen talented people who had the chances and didn't do it."

By JUDY ALTER
Photos courtesy of author

In the army he sat in on art classes and explored museums where he was stationed. "It was the real thing," he said, "it whetted my appetite."

According to Tommey, you don't have to be a cowboy to be a cowboy artist, but you have to have the cowboying urge in your heart. As a kid, he knew only farm horses, but even then he drew cowboys and Indians.

In later years, he cowboyed until a broken arm nearly ruined his painting career, forcing him to paint left-handed for more than two years.

Like many TCA members, Tommey remembers the days before western art was "legit," when show regulations specified "no western art or nudes allowed."

From the time he began painting professionally in the late 1940s, he had to do everything but western art — including portraits and calendar art — to make a living. There was always, he said, an underground market for western art, however.

Today, Tommey said it's "a whole different world," and he credits the efforts like the Texas Cowboy Artists for the current prestige of western art.

Membership in TCA is by invitation only, by vote of the members. Tommey, a former Texan who lives in Missouri, joined about two years ago when the organization changed its rules to admit artists living outside of the state.

TCA President Garland Weeks said the decision was made to admit artists whose work "has the flavor of Texas" and meets the organization's expressed purpose of historically documenting, through art, the Texas cowboy and his heritage.

"Our area extends primarily from the Rio Grande River to the Sabine River, from the Gulf of Mexico to the Red River," said Weeks. "We don't deal with the French trapper or the mountain

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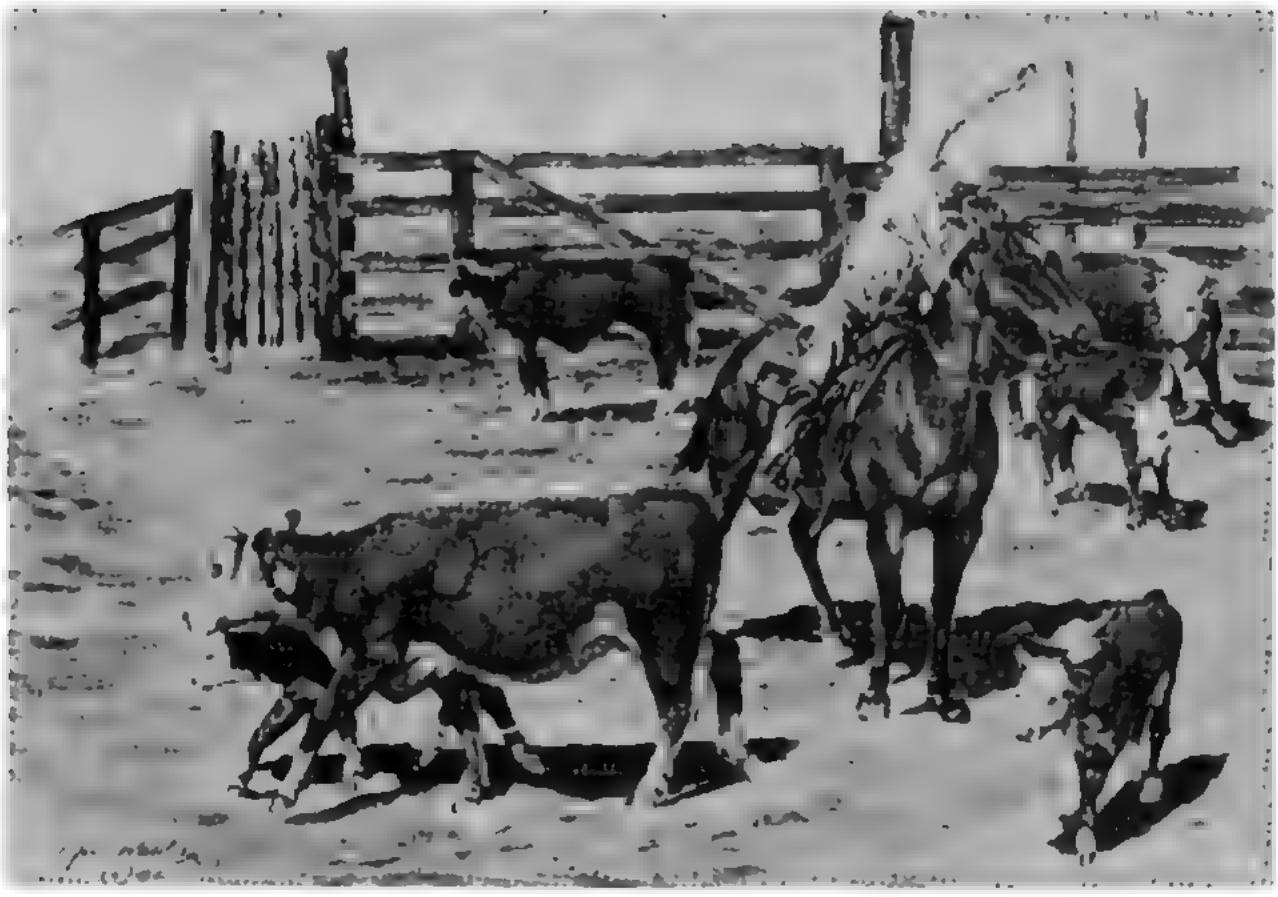
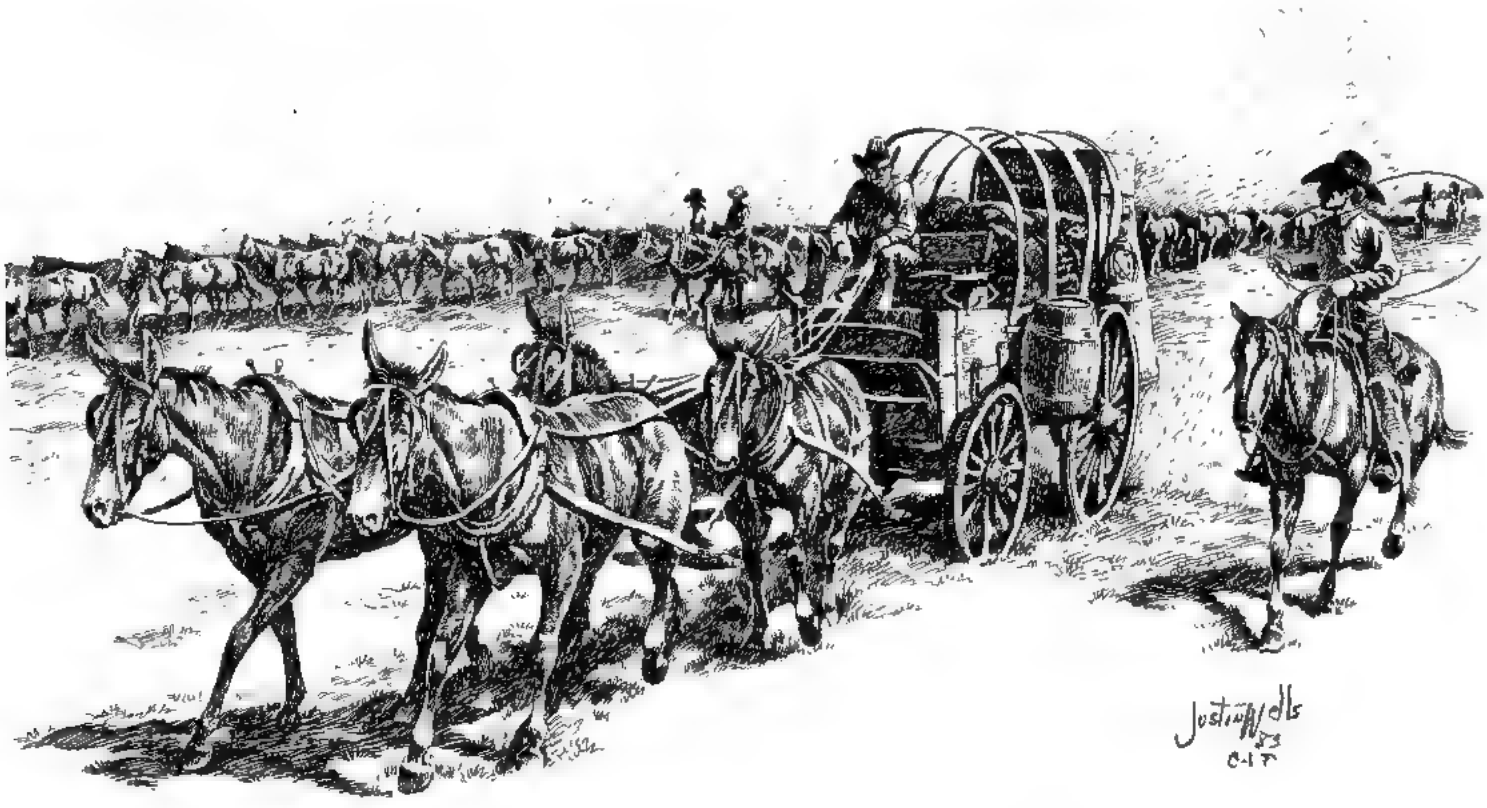


Two works by TCA artist Jim Ward, above, water color called "The Specialist," and at right, 1983 bronze titled "The Better Part of Valor."

man of the northern tier of states, nor the California vaquero. But we may deal with a cattle drive to Montana because Texas cowboys went there."

IN ADDITION to Tommey and Weeks, who is a sculptor from San Angelo, Texas, the TCA members are: Keith Avery, Roswell, New Mexico; Bill Chappell and Bill Leftwich, both Fort Davis, Texas; Steve Devenyns, Cody, Wyoming; Harold T. Holden, Kremlin, Oklahoma; Joe Russell, Kerrville, Texas; G. L. Sanders, Pampa, Texas; Mark Storm, Houston; Jim Thomas, Leander, Texas; Richard Thompson, Justin Wells and Ben Konis, all Amarillo, Texas; Jim Ward, Canyon, Texas, and Paul Wylie, Lubbock, Texas.

These artists range in age from 30 to 75 and in artistic interest from the paper sculpture with which Gerald Sanders has begun to work to the stylized Spanish vaqueros favored by Bill Leftwich. Some painters also sculpt and



This is TCA artist Justin Wells' 1983 drawing called "Ten Minutes to Coffee." It shows wagon boss visiting with the cook while he waits for outfit to reach new campgrounds where they'll enjoy a cup of that vital brew. Remuda is trailing along in background.

a few are sculptors who paint.

For most, art is a second career. Some have studied at institutions across the country, a few have college backgrounds but most are, like Bob Tommey, largely self-taught.

TCA sponsors two shows a year, their annual show and sale in the fall and a smaller show in the spring. The 1983 Fall Show was held at the Wichita Falls (Texas) Museum and Art Center.

Works by both members and guest artists are juried by the group before being submitted to these shows and the criticism during a jurying session is open and honest, the tension often broken by wry cowboy humor.

While Bob Tommey questions the value of the shade in a certain portion of a painting, someone else may challenge the length of rope thrown by a cowboy in a painting. They discuss how a working cowboy throws his saddle on the ground — right side up with the blanket over it or standing on the horn — the height of a boot, the length of a truck bed, the size of a hand holding a rifle in a small bronze.

Such details are important to TCA members as they strive for accuracy and artistic quality in their work. Jurying sessions are often a wild mix of artistic theory and cowboy history.

In recent months, TCA members have been jurying art for their project for the Texas sesquicentennial celebration, a large format art book to be called *150 Years of the Texas Cowboy*. The book is to be written and illustrated by TCA members and is to be published in the summer of 1985 by Texas Christian University Press.

Each painting, drawing and sculpture will be specifically designed for the book and will be available for purchase, although the art will be kept together for exhibition throughout the state during the sesquicentennial period.

Precedent for this was set in 1975 when the original ten members of TCA, then called XIT — Ten in Texas — worked with author Caleb Pirtle III to produce the highly successful art book, *XIT: The American Cowboy*, published by Oxmoor House.

Only three of the original ten members remain active, but new members are familiar with the book and its impact on the world of western art.

"This time," said Weeks, "we wanted to do a book specifically on the Texas cowboy and the tie-in with the sesquicentennial project seemed ideal. We plan an educational art exhibit, containing works from the book that will tour the state as TCA's contribution to the celebration."

Early in the jurying process for the book, nearly half of the art was either rejected or accepted with the qualification that suggested improvements be made and the work be re-submitted. Such stringent criticism suits the members fine because it improves their own art and strengthens the quality of western art in general.

"We're not the best," said Tommey, "but we're good artists. Jurying forces each of us to do our best, to improve our quality."

"There's still a lot of poor quality art on the market," said Weeks. "If someone is considering buying a piece of western art and they know the artist is a member of this organization, that tells them something about the quality of the work. Membership in TCA is a guide to an artist's status."

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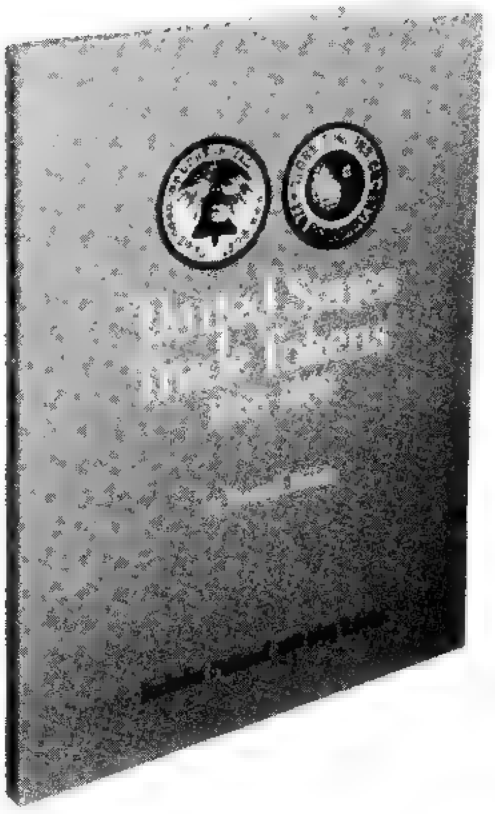

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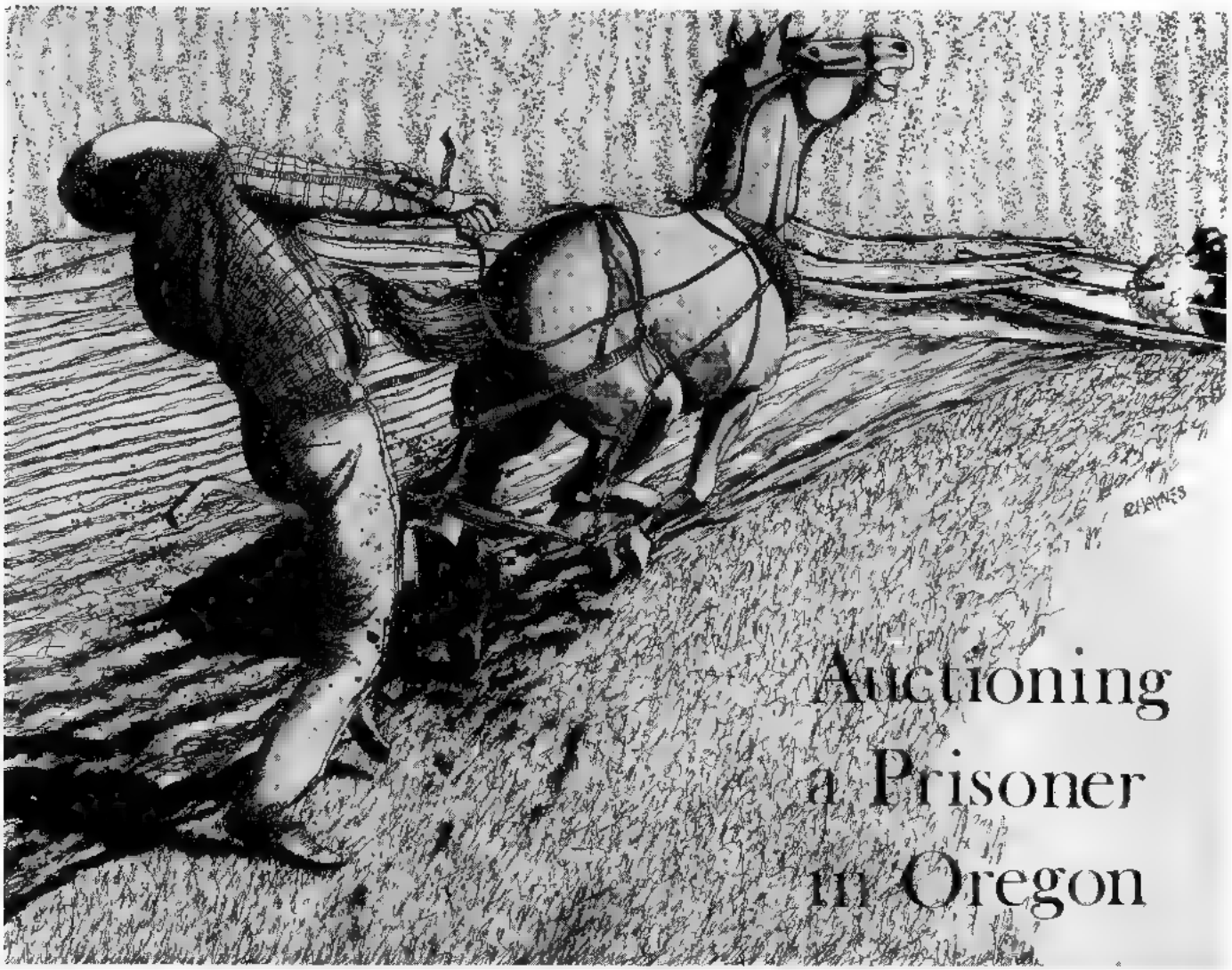


Auctioning a Prisoner in Oregon

The county was broke; it had no jail, so what could it do?

By SCOTT McARTHUR
Illustrations by
Richard T. Haynes

IT WAS a Tuesday morning in May 1852. The three county commissioners of poverty-stricken mudbound Polk County, Oregon, were meeting downstairs in the new $750 frame courthouse in Cynthian, the county seat.

Upstairs they could hear the muffled voices of the Everman brothers and the guard who had been with them 24 hours a day for the past three months. The cost of feeding, housing and guarding these two prisoners was about to bankrupt the county. Eight days hence, half the problem would be solved. One of the two brothers was to be hanged.

But that left the other brother. He was sentenced to three years in prison and since the Territory of Oregon had no prison and Polk County had no jail, the cost of keeping the unwanted prisoner was borne by the bitterly poor Polk County settlers.

The commissioners stared at each other in dumb frustration. Then a solution was suggested. They would simply sell the prisoner to the highest bidder!

TO understand how three reasonably sensible county commissioners could consider auctioning a prisoner, we must go back to the beginning of the story. The date was Feb. 12, 1852. A bachelor farmer named Cyrenius C. Hooker was plowing a field near his home, a mile south of Rickreall and about 12 miles west of what is now the capitol city of Salem, Oregon.

A neighbor, a 22-year-old Missourian with the unusual name of Return William Everman, didn't like Cyrenius Hooker. Everman and his brother, Hiram, had drifted into the county the preceding summer. They were hired hands for Samuel Goff, whose place was located a mile or so away.

There were several burglaries in the neighborhood that winter. Hooker's house was broken into. The only thing taken was an old gold watch he prized highly.

Law enforcement amounted to little. The only peace officer was the sheriff. He, like nearly every other able-bodied man in the county, was a farmer. He got paid according to the fees he collected. Most of that money came from his dual duty as tax collector.

Hooker had publicly accused Return Everman of the burglary. Everman had

a mean temper and more pride than normally alloted to a common thief.

In his confession, Everman said he killed Hooker because "I would rather the news got home that I had killed a man for trying to injure my character than for news to go home that I had stolen a watch."

THE morning of Feb. 12, 1852, Samuel Goff and others were packing to go to the goldfields in California. The goldfields still lured the adventurous and they offered hope of ready cash, a commodity sorely lacking in early Oregon. Goff and his party were to go overland to the diggings near Sacramento.

Joining them was Enoch Smith, who had a place in Yamhill County. Smith didn't like Cyrenius Hooker either. There had been bad blood between them for years. Return Everman and Smith, in the presence of others, discussed their mutual hatred for Hooker. Smith reportedly offered Everman $250 to kill Hooker, then lent him his shotgun.

Everman headed for Rickreall. The others headed south to the goldfields. Later that day, Everman rejoined the southbound party where they camped for the night. He returned the shotgun to Smith reporting that he had killed Hooker.

The others in the party did not want Everman with them. His brother, Hiram, lent him a horse and another member of the party, David Coe, accompanied the fugitive as he headed south through the Willamette Valley.

The following Monday, a four-man posse seized Everman and Coe near Roseburg and returned them to the county seat in Cynthian, located at the north edge of what is now Dallas, Oregon.

Return Everman was charged with murder and his brother was charged with being an accessory to murder. Smith and Coe were also charged as accessories. But as noted, Polk County had no jail in which to hold these men.

A SATISFACTORY wood-framed courthouse recently was erected, 30 feet long by 24 feet wide, boasting two stories and four rooms. One of the upstairs rooms was cleaned and the prisoners were kept manacled hand and foot under armed guard awaiting their trials.

The county commissioners, who in those territorial days also sat as a three-judge probate court, were responsible for paying the cost of the proceedings and they had an empty treasury.

Exercising true judicial discretion, they taxed the assets of the estate of the deceased Cyrenius Hooker for $700. Of this, $200 went to pay extra attorney fees to prosecute and defend the prisoners. The other $500 went to pay the posse for apprehending the prisoners and for keeping them under guard.

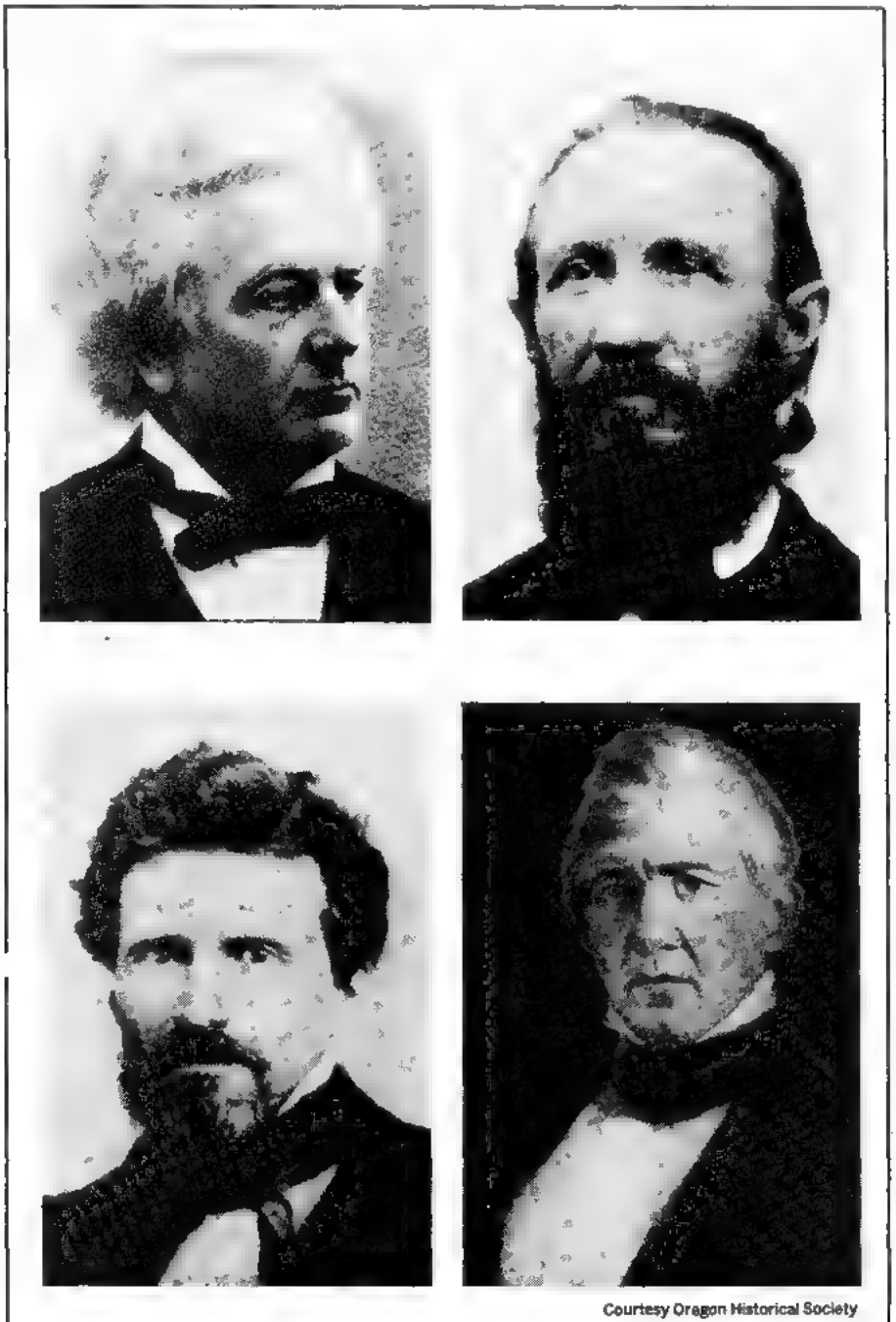
There was Oregon precedent for this. While the Americans and English were arguing over whether Oregon was part of the United States or Great Britian, Oregon's early settlers organized their own government. They had to. It seems one Ewing Young, a Newburg pioneer and one of the territory's few affluent inhabitants, died with no heirs. Oregon needed a government to have a court to settle the estate.

The court of the provisional government of Oregon decided that, indeed, Young had no heirs. The estate was sold and the proceeds used, among other things, to build a log prison in Oregon City.

The Everman trial had to await the arrival of one of three territorial Supreme Court justices. These worthies spent part of their time as appellate judges and the rest of the time as trial judges. They rode circuit through the various counties of the territory which in those days embraced all of present Oregon and Washington and parts of Idaho and Montana.

JUDGE Orville Pratt, a fine-looking Democrat who had a flowing mane of pure white hair and a whiskey nose, rode in by horse. He was followed by the small cluster of attorneys who traveled with him from county to county to attend to the legal needs of the community.

From this travelling band of legal experts Judge Pratt appointed both prosecutor and defense attorney. There was no lack of talent. Reuben P. Boise, who farmed less than a mile from the murdered Hooker and practiced law on the side, was appointed prosecuting attorney. Cyrus Olney was appointed to defend Hiram Everman. Both Boise and



Courtesy Oregon Historical Society

PRINCIPALS IN OREGON DRAMA — Top, Judge Orville C. Pratt, left, and Governor George Law Curry. Bottom, Prosecutor Reuben P. Boise, left, and Governor John P. Gaines.

Olney soon would be appointed to the Territorial Supreme Court. Separate counsel was appointed for the other defendants.

County Clerk J. E. Lyle, who was also the local schoolmaster, drew the grand jury. The trials began, one after the other. There was no hotel in the county and judge, jury members and attorneys boarded in whatever quarters were available, mostly cabins. Pratt later wrote that if Oregon Territory taught him nothing else, it was how to change his clothes in bed and in the reluctant presence of total strangers.

Return Everman was convicted of murder and sentenced to hang. Enoch Smith was tried but the case resulted in a hung jury so it was scheduled for retrial in Yamhill County. Coe was convicted but later was pardoned.

Hiram Everman pleaded guilty to being an accessory after the fact. He was sentenced to three years imprisonment. But there was the rub.

THE old log prison built from the assets of deceased Ewing Young at Oregon City had burned three years before. The Territorial Legislature, its time occupied with whether the capitol should be at Oregon City or Salem, hadn't gotten around to building a new prison.

No one was going to tolerate the construction of a territorial prison until the issue of the capitol was settled.

When the trials were completed, Judge Pratt and his touring group rode on to the next county leaving the problem in the unhappy hands of Polk County's commissioners.

The 24-hour guard had proven less than satisfactory. The day following the hung jury vote which saved him from conviction, defendant Enoch Smith wormed his way out of his chains. He distracted the jailor and took a header out of the second story window of the courthouse. He limped off, barefoot, into the brushy wilderness which surrounded the town. He was recaptured the next day at Yamhill, some 30 miles away.

Return Everman, who found religion in the last days before his execution, knew where he was going. But his brother, Hiram, did not. And neither did anyone else.

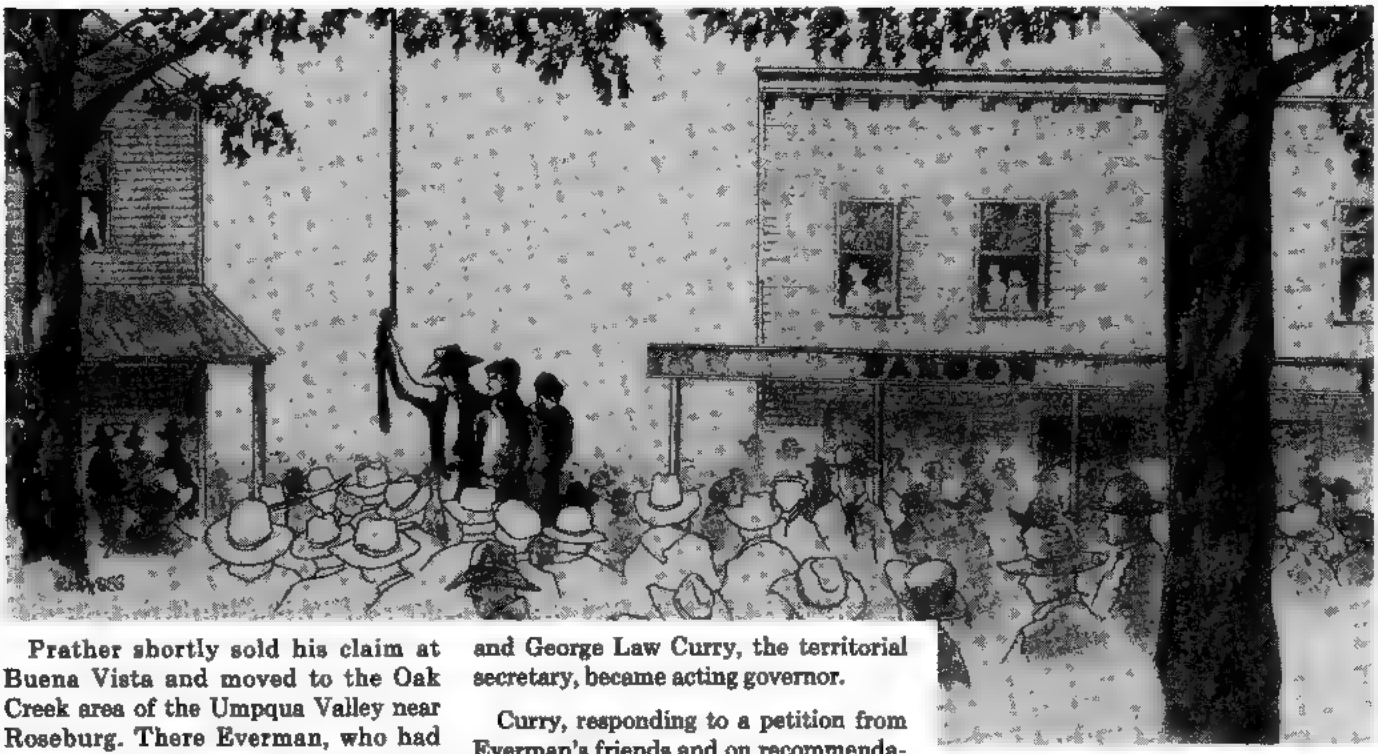
THERE were advantages to having a county governing body that had responsibility for the budget and was clothed with judicial authority. The morning of May 11, 1853, a large crowd gathered in front of the courthouse. Return Everman was marched to the gallows, the rope cinched about his neck. Sheriff Washington Smith Gilliam dispatched the murderer to his reward.

But Everman went slowly. The sheriff did not provide a sufficient drop to break his neck and the crowd watched for about 15 minutes as the condemned slowly strangled to death.

Immediately following the hanging, while the throng was still gathered, David Grant, Sheriff Gilliam's brother-in-law, stepped forward and, by authority of the county commissionrs, sold Hiram Everman and his services for the balance of his sentence.

Theodore Prather, a farmer in the Buena Vista area, bid on Everman for $500. He was charged to keep him for the balance of his sentence, keep the benefit of his work and to care for his needs until that time.

The $500 went into the county treasury. The crowd went home. Everman went to Buena Vista and the body of his brother was buried outside the fence of the Dallas cemetery.



Prather shortly sold his claim at Buena Vista and moved to the Oak Creek area of the Umpqua Valley near Roseburg. There Everman, who had apprenticed as a carpenter, helped his warder build a house and outbuildings.

What was a good deal for Polk County wasn't so good for Prather. In 1853, the Whigs were out of power. President Franklin Pierce, a Democrat, appointed Joseph Lane, a former territorial governor, as governor. Lane quit in three days and George Law Curry, the territorial secretary, became acting governor.

Curry, responding to a petition from Everman's friends and on recommendation of Everman's prosecutor, Rueben Boise, ordered that he be set free.

Prather complied and gave Everman $20 and a good horse. Everman settled in the Roseburg area and was ever after a good citizen. Prather asked the Polk County commissioners for part of his $500 back. They didn't pay.

Thus ended Polk County's unusual solution to a problem of not having a jail.

A SHORT-FUSE MULE AND A MISFIRED CANNON

(The following story first appeared in the Sept. 12, 1897, edition of the Cheyenne Daily Leader, Cheyenne, Wyoming. It was reprinted in the Dec. 9, 1983, edition of The Sentinel, a newspaper at F. E. Warren Air Force Base, Cheyenne. It had been submitted by retired Colonel Gerald M. Adams. H. E. "Pete" Remster, Cheyenne, sent the item to us).

Out in a certain western fort, some time ago, the Major conceived that artillery might be used effectively in fighting the Indians by dispensing with gun cartridges and fastening the cannon upon the backs of mules.

So he explained his views to the commandant and it was determined to try the experiment.

A howitzer was selected and strapped on an ambulance mule, with the muzzle pointing toward the tail. When they had secured the gun and loaded it with ball cartridge, they led the calm and steadfast mule out on the bluff and set up a target in the middle of the river to practice at.

The rear of the mule was turned toward the target, and he was backed gently to the edge of the bluff.

The officers stood around in a semicircle while the Major went up and inserted a time fuse in the vent of the howitzer. When the fuse was ready, the Major lit it and retired.

In a minute or so the hitherto unruffled mule heard the fizzing back on his neck and it made him uneasy. He reached his head around to ascertain what was going on and as he did so his body turned and the howitzer began to sweep around the horizon.

The mule at last became excited and his curiosity became more and more intense; in a second or two he was standing with his four legs in a bunch, making six revolutions a minute and the howitzer threatened sudden death for every man within half a mile.

The commandant was observed to climb suddenly up a tree. Officers were seen sliding over the bluff into the river as if they didn't care at all about the high price of uniforms; the adjutant made good time toward the fort; a sergeant began to throw up breastworks with his bayonet; and the Major rolled over the ground and groaned.

In a minute or two there was a puff of smoke and a dull thud and the mule — oh, where was he?

A solitary mule might have been seen turning back-somersaults over the bluffs, only to rest at anchor, with his howitzer at the bottom of the river, while the ball went off toward the fort, hit the chimney in the Major's quarters, rattling the adobe bricks into the parlor and frightening the Major's wife into convulsions.

They do not allude to it now and no report of the result of the experiment was ever sent to the War Department.

HOW THE WEST REALLY WAS

By HARLEY HENDERSON — Photos courtesy the author

THE West as I knew it was a life of joy, struggle, freedom, peace and brotherhood. My father joined his brothers near Ottawa, Kansas, when I was the baby. One child died in infancy and two were born later in a family of 11 children.

The pioneers had visions of prosperity but until that day came they spent little money on pleasure, medicine or doctors. Education was for children. At five years of age, I attended school less than half a school year.

At six, we moved a considerable distance from the schoolhouse, so my education actually began when I reached seven. Like many young men, I finished the eighth grade at 17 and high school at 21. By this time, many boys had visions of an illustrious life away from the farm.

Children learned about life by living it. I knew little pigs were castrated but I was never allowed near the barn when the same thing happened to a colt. I was in my early teens before I could take a mare to visit the stallion.

Yet, we knew all the words early in life because in large families young people talked and children listened.

Usually, there was considerable leeway. For example, a neighbor boy and I went to the river and walked in a water hole that came to his chin and over my head. Fortunately, he took me by the hand and led me to shore.

One day, two sisters and I were playing in a pile of dust when our dog came to join us. We had been told the dog was sick and probably mad. My older sister and I ran to the house leaving our baby sister alone.

Mother quickly assessed the situation and slipped out of the house to get her daughter. My oldest brother came in from work that afternoon and tied the dog to a wagonwheel. When Father came home, he solved the problem in true western style with his shotgun. In those days, you didn't debate the cardinal virtues of a question but did what needed to be done.

MY oldest sister took two of us to Sunday school one morning and on our return trip something happened to the harness that made our horse run. By the time we reached the river he was in a gallop and splashed through to make a turn in the road on the other side.

At this point, our buggy turned over and we spilled out on the gravel. The old horse stopped and waited to see what the ruckus was all about.

Soon after this escapade, my oldest sister set her wedding date. She made her own wedding dress and the family helped make a beautiful archway in our parlor. It proved to be a gala affair for the entire neighborhood. The young couple had already made plans to take up a homestead in Montana so our family was decreased by one.

Harley Henderson when he wore a younger man's clothes.

In a large family, things happen rapidly. Another sister married her boyfriend and they decided to follow the example of my oldest sister. The winter, following this decision, they came to stay with us because she wanted to be home for the birth of her first baby.

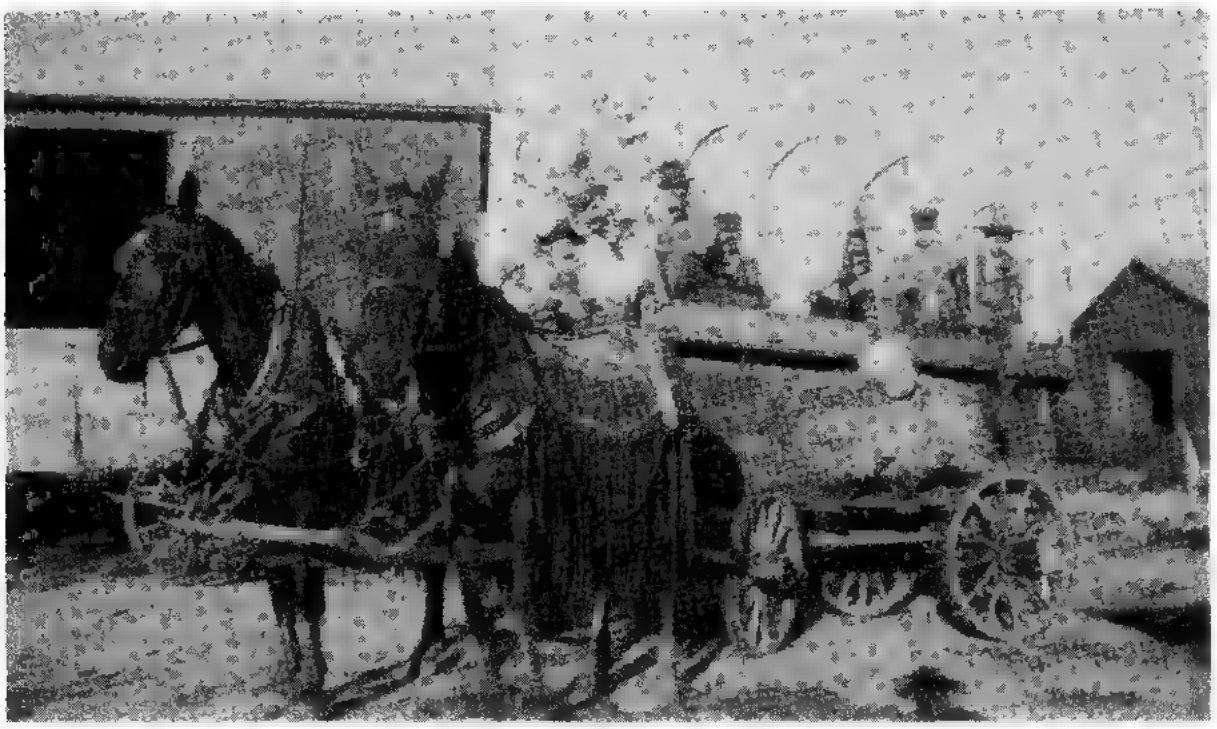
In those days, a new mother might have difficulties and be in bed two or three weeks. This, plus a hired girl, made 14 in our family and three were bedfast. Father had pneumonia and my youngest sister, anxious to be of some help, decided to get supper. She poured kerosene on some kindling in the wood stove, lighted a match, and became a ball of fire.

The doctor came every day in his buggy wheel-type automobile to take off bandages and wrap her in new ones. She screamed from the time he arrived until he left. Right or wrong, she eventually healed but retained ugly scars.

AS soon as my sister's baby was born, her husband and my oldest brother left for Montana. Since she could not nurse her little boy, he grew fat on milk from one of our cows. By early spring, she left which cut our family down by three.

Father decided to move on a section of land about 50 miles from Coffeyville, Kansas. This is where the Youngers shot up a bank.

I was ten years old now and able to handle a team of horses. Since everything was done by horse power, we usually had 16 to 18 horses in the field at one time. It took 12 to 14 men when we baled hay. I was old enough to poke



This is a neighbor and his wagon ready to go into Ozark Mountains for apples. Author is boy on spring seat. Barn had stalls for 45 horses.

wires in the haybaler.

It is likely my emphysema started during those long hot days working under a burning sun and breathing fine dust that often settled over us like a suffocating cloud.

It was a joy to exchange this for the hayrake but dumping the rake all day wore a blister on my heel. Boys wearing shoes was unnecessary and expensive.

Generally, things went well because men worked hard and were tired at the close of each day. There were occasions when tempers flared but the men usually simmered down before quitting time.

One evening a tall, strong, unassertive man was goaded by a loud fellow until, suddenly, the placid man knocked the braggart down. Obviously, everybody was surprised and expected the young boaster to spring up and strike the larger man with his fists but he said he was tired so they would settle it in the morning.

When the ranch hands came to work the next day, they found the young braggart and his brother waiting on the baler. This angered the workers and it looked as if blood would be spilled on the hay meadow but level heads prevailed and the older brother, after giving his kid brother a tongue lashing, returned home considerably wiser and unscathed. Our ranch hands could be dangerous when someone crossed them over the basic principles of honesty and justice.

WHEN World War I came, father left the ranch for a 40-acre farm on the Osage River. Now we were two boys and two girls.

Things looked bright until typhoid fever struck our home. Father and I were in bed six weeks then came my mother, youngest sister and baby brother. Before they recovered, the influenza epidemic hit our country.

One evening, I rode about two miles after the cows, milked five of them and came in the house with a fever of 104. Soon we were all in bed with the flu except father and the nurse.

My youngest sister did not survive typhoid fever plus the flu that developed into pneumonia. A brief funeral was held in our home with only the preacher and undertaker because all of our neighbors were deathly afraid of the flu.

Discouraged with the small farm and our tragedy, father moved back to the section. I was 15 and took a man's place in the field. Once again, we were a ranch family.

Life had its bright spots. I saddled a horse each morning about daybreak and rode from three to five miles to bring in 25 or 30 horses and a dozen milk cows.

Experiences varied on these rides. There were mornings when a hot-blooded young horse charged me with ears back and barred teeth. I simply uncoiled a blacksnake whip and the would-be assassin joined the thundering herd.

ONE morning the creek was swollen from a heavy rain and a new colt, born that night, swam by the side of his mother across the roaring stream. Occasionally, I would put a newborn calf across my saddle and bring it with the cattle.

Newborn colts and calves attracted coyotes so when they appeared on the scene, I urged my saddle horse forward and we enjoyed a chase over the prairie. We jumped ditches, climbed banks, dashed through brush and sailed across the prairie with my blacksnake popping like a rifle.

My two faithful dogs, half collie and shepherd, helped flush out the coyotes when they slipped into places I couldn't follow.

One time a 900-pound steer jumped a corral gate and the youngest dog, anxious to try his skill, grabbed the steer by the nose, slipped between his front legs, and pulled. The steer turned a somersault and landed on his back.

When we wanted to move a cow, I fastened a hackamore on her head and,

if she refused to lead, I turned my horse loose, got behind the stubborn animal and gave her tail a twist. This usually got results.

THE cowboys did a number of things that helped temper the doldrums or any hostility that comes to all of us. We would wrestle, box, ride steers, chin ourselves and run races both on foot and horseback.

We performed various feats of strength such as seeing who could lift the largest man on his stomach with his head on one bale of hay and his feet on another.

Even on work days we challenged each other to see who could throw a bale on the highest stack or pitch the largest fork full of hay. We occasionally ran races with a team and wagon after hauling hay to the railroad station and felt the need for excitement on our way home.

Since we lived in the country, there were rabbits near our house so we often had rabbit stew. Sometimes we'd have a delicious young jack rabbit fried to a crisp. Both ducks and geese were available in their season. Neighbors came together to butcher hogs, dehorn cattle and saw wood for the needy, especially, widows.

Every year we put in a crop or harvested one for a sick neighbor. When friends came together, horseshoe games were popular with the adults and baseball for the youth. Family dinners often brought a number of young people together.

In my home, father played the old reed organ and everybody sang. Most of our neighbors knew church hymns and often sang while working in the field or around the house.

Summer evenings would find the cowboys with a guitar or simple accordian on our porch steps singing, "My little old sod shanty on my claim." Or they might sit on the hayrack and tell dirty stories.

We didn't have much money but we enjoyed a fellowship unequalled in few other occupations. The rancher could be hard, vicious and stubborn, but he could also reach out with a heart of boundless love.

OFTEN on Sundays, my saddle horse was used to snub down an unbroken colt or maverick. He would be saddled and a cowboy would take a rough ride.

My own trusted horse came from a carload of wild horses shipped from Montana. One long legged 1,200-pound horse threw my older brother and broke his collar bone. I rode the horse several times but he was not dependable. He probably would have been a good rodeo horse. My brother traded for a gray mare that nearly threw me one evening when I saddled her to ride after the milk cows. About a year or two later, the new owner offered a reward for anyone who could ride her.

When horses were sick, we doctored them. A substance we used for fistula was called "Blue Vitriol" (copper sulfate). One of the cowboys would cut a two-inch slit in the horse's skin and fill the swollen place with the medicine. Sometimes this cured the horse.

If the horse was old or in pain, father simply took his shotgun and killed it. For cornstalk poison, we used a mixture of kerosene, lard and milk.

As I grew older, tractors were used more than horses. Even hired men were forgotten as days lengthened into late night hours. Ranchers became slaves to machinery. The joy of hard manual labor and rugged fellowship vanished with the iron horse that never seemed to tire. The West faded as eastern inventions dominated the scene.

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LIFE OF AN OLD COWBOY

(continued from page 50)

asked what was going on.

Finley said, "Oh, Charley O'Brien and I were having a little shooting scrape, but I guess no harm was done." But come to find out one of them had shot through a saloon window and killed a man by the name of John Lavin.

In a day or so Finley and a cowboy from Snake River got into some trouble in John Dyers' saloon and Montgomery got the drop on Finley, making him leave the house. So Finley went out to a butcher shop and got a Winchester and came back and killed Montgomery.

In the spring of 1880, I came to Fort Collins and went to riding for Mason and Manse. We took two herds of cattle from Kit Carson, Kansas, to the Little Mida line on the Laramie plains in Wyoming. We turned loose 2,900 head in November and I understood they gathered 300 the next fall.

That was the last of my cowboy days. In 1881 I ran a grading outfit and helped build the U. P. R. R. from Greeley to Fort Collins. In the spring of 1882, I shipped west and helped to build the Oregon Short Line from Granger, Wyoming, to Blackfoot, Idaho.

In the fall of 1883, I came to Rock Creek, Wyoming, and bought out a hotel and saloon and livery barn. There was a stage line running from there to Fort Fetterman and Buffalo. The country was settling up at that time and everyone had plenty of money. A few years later while someone was working in the cellar under my saloon they uncovered three jars full of gold — $10,000. I always thought it belonged to Hawk Stewart, the man I bought out.

In 1885, I went to Rawlins and started the Pine Grove Stock Farm. I commenced breeding standard-bred horses, trotters and pacers. I went east and bought the best I could find and was doing fine until 1890, when the swamp fever broke out in my stock and I lost $20,000 worth of fine horses.

In 1891 I shipped what good ones I had left to Independence, Iowa, on C. W. Williams Kite Track, where I trained a public stable for three years.

I kept my stable until six years ago when I sold out all the horses I had at auction in Denver. I then went to Brighton, Colorado, and bought a small farm where I still live all alone, having lost my wife a year ago.

The Answer Man

Dave Mather a Mountie? "Mysterious Dave" Mather is one of the more fascinating frontier gunfighters. Waymon Hallmark, Box 3012, Garland, TX 75041, asks why did he have that name, what did he do and what became of him.

Mather, born about 1845, was a gambler, lawman and outlaw. His life prior to 1873, when he reportedly rode with cattle thieves in Arkansas, is not known. In 1874, he was a buffalo hunter.

After buffalo hunting his life seemed a mixture of good and bad. He'd break the law one day, enforce it the next. In the early years of Dodge City he was a friend of Bat Masterson. In 1876, he and Wyatt Earp sold "gold bricks" in Mobeetie, Texas. In Las Vegas, New Mexico, he was accused of robbing a train but the charges were dropped.

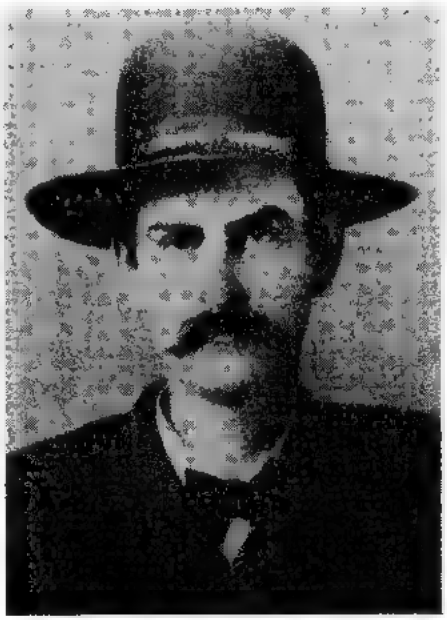
In January 1880, he and Las Vegas City Marshal Joe Carson attempted to disarm members of the Henry gang. Carson was killed and Mather killed one of the gang members and wounded another. By the end of February, Mather had wiped out the gang and surviving members were jailed. Mather was in the mob that dragged the three from jail and lynched them.

In 1881, briefly, he was El Paso's assistant marshal. He was later run out of Las Vegas for victimizing a prostitute. In 1883, he was assistant marshal in Dodge City but began an affair with the wife of his successor, Tom Nixon. Nixon shot at Mather but missed. A few days later Mather shot and killed Nixon but was acquitted.

In May 1885, Dave got into a brawl and killed one man and wounded two others. Not long after, lawman Bill Tilghman forced Mather to leave Dodge City for good. He was later city marshal of New Kiowa, Kansas, and Lone Pine, Nebraska.

Knowledge of him ends there. There are stories he went to Canada and became a Mountie but his fate remains a mystery.

Singing Cowboy John Wayne. Movie fans know John Wayne best for his roles in war movies and westerns. Who can forget his role as a cavalry officer in "She Wore a Yellow Ribbon" or as the dying gunfighter in "The Shootist?"



"Mysterious Dave" Mather

But James N. Northe, 3630 Northwest 22, Oklahoma City, OK 73107, asks if John Wayne was ever a singing cowboy.

In 1933, Wayne sang in "Riders of Destiny," playing a character called "Singin' Sandy." In 1934, he "sang" in "Randy Rides Alone." But his singing voice was dubbed by singer Smith Ballew. So the answer is that he sang for real in only one movie.

Sons in Liberty Guards. John Brown is most often thought of as a radical who hastened the Civil War. Alex Futch, 618 Lakeview Dr., Adel, GA 31620, asked why he was called "captain," why he needed surveying instruments in his work and what were his real motives.

First, he was a captain having received a commission in the First Brigade of the Kansas Volunteers. He was in command of a small company called The Liberty Guards. It included his sons and 15 other men.

As a young man, Brown taught himself surveying and earned his living as a surveyor for several years. He surveyed a thousand acres of Oberlin College, Virginia, in 1849. This was one of many of Brown's financial failures, however, as he received only $29 for the work.

Brown's motives are open to speculation. Stephen B. Oates in his biography of Brown titled *To Purge This Land With Blood*, discusses Brown's sanity and insanity. Brown was a reformer who believed his actions were divinely inspired and he saw great wrongs in slavery. He vowed to change slavery or die in the attempt and he did.

Morgan Earp's Woman. Little is known about Louisa Houston, Morgan Earp's wife. What is known is given in Glenn G. Boyer's story, "Morgan Earp, Brother in the Shadow," in OLD WEST Winter 1983. To answer Bill Reiff, R. R. 2, Abilene, KS 67410, who asks about Louisa:

She was born in Wisconsin of parents who were born in Illinois. She met Morgan in Dodge City, probably in 1875. The two of them then went to Butte, Montana. She was with Morg in California in 1880. Earp later went to Tombstone and Louisa joined him the following year. She was there when he was murdered, the night of March 18, 1882. She accompanied his body to California with Virgil Earp and his wife. She married Gustav H. Peters in 1885, and she died in Long Beach, California, on June 12, 1894.

— Chuck Parsons

If you have a question, send it to Chuck Parsons, TRUE WEST, Box 665, Perkins, OK 74059. Please keep questions brief. Sign your full name and address, including zip code. Names and addresses will be published if question is used. Space limitations do not permit us to publish all questions.

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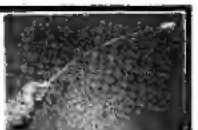

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Coming Next Month

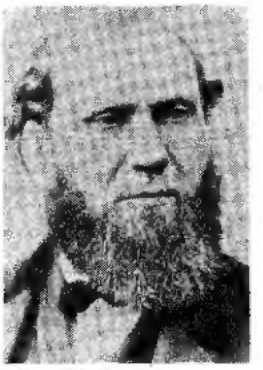
Two brothers left three friends in British Columbia wilds during a storm to seek help. Then left them there. See "Tragedy in Canada's Cariboo."

James Marshall and others claimed to have discovered gold in California. One who helped was a woman — Jenny Wimmer.

Residents of Oregon and Idaho fear Bigfoot (Sasquatch) today. Another kind of Bigfoot brought terror to the two states in the 1870s.

Dr. Thomas L. Hunt was arrested for a Jesse James' robbery. He looked so much like the outlaw he became known as Jesse James' double.

Oregon's Bigfoot



Alan Pinkerton

ALSO IN NEXT ISSUE:

Alan Pinkerton - he put fear into outlaw hearts.

William Longabaugh gives inside view of family of Harry Longabaugh, Sundance Kid.

Earl Heikka — tragic genius of western art.

Death on a Texas' ranchero.

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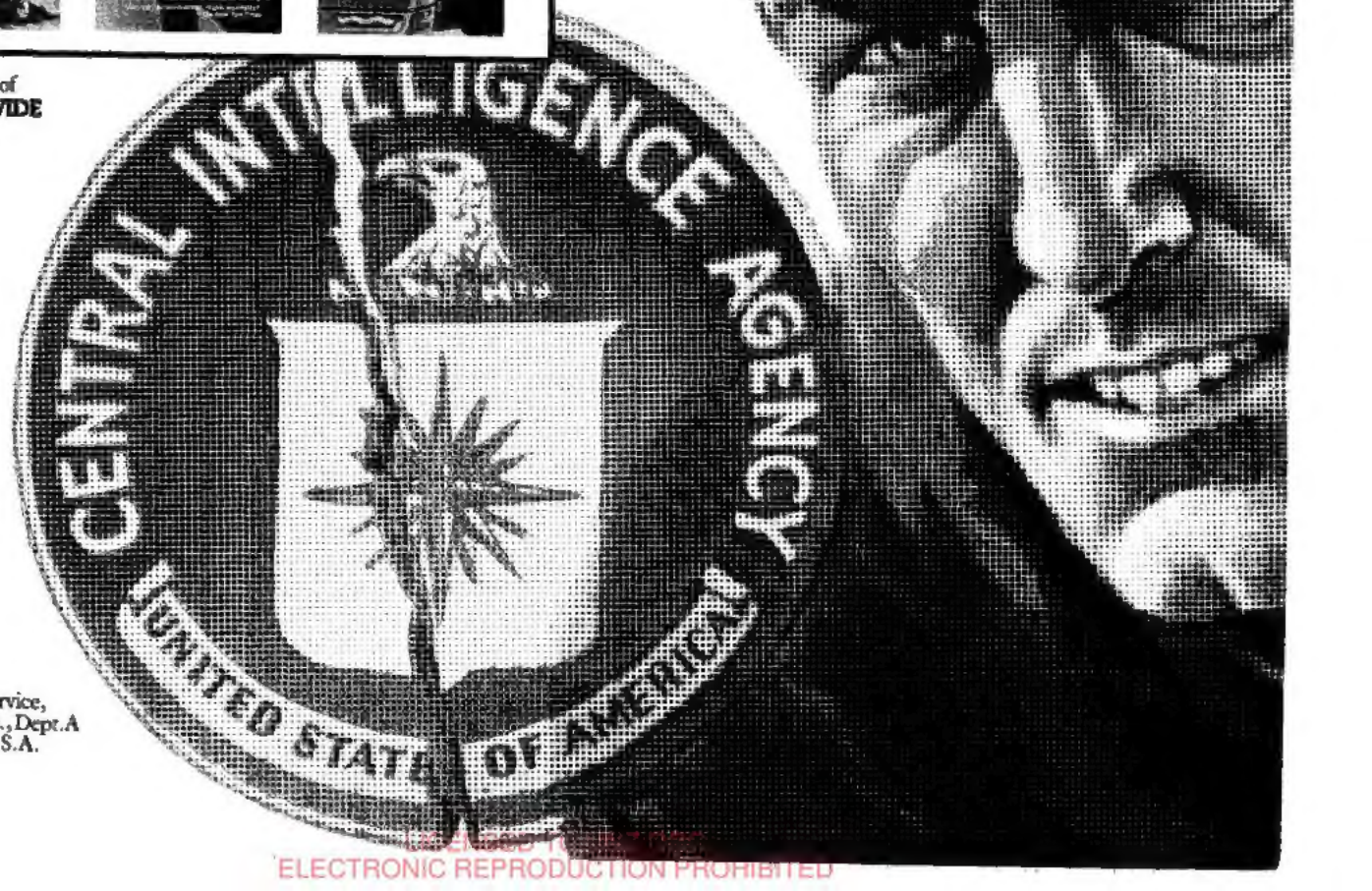

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The Wild Side of Life In the Old West

"A Mysterious Man"

By H. Franklin Greene Vol. I, No.2

In Freeport, Illinois there is an unmarked grave in which the occupant is known by no less than 50 persons. Yet, there is secrecy pledge among them that in no way will they reveal his true identity. They will, however, admit that his name was Dr. William Livingston and he came from Deadwood, South Dakota. The pledge they so jealously guard was made by their great grandparents and handed down to them through their parents.

In 1908 Joseph Pulitzer had offered a reward for $8,000.00 to anyone who would reveal the true identity of Dr. William Livingston. This is factual evidence uncovered by this investigation.

Dr. Wm. Livingston, a large, handsome rogue and bigamist, married a young South Dakota girl some twenty years his junior. He was a Medicine Man, who travelled through the Plains States from 1850 through 1900, selling bottled medicine to the Indians, at Camp Meetings and Round-ups. He distributed handbills that read, "All Cases of Cancer Cured Unless Too Far Gone and Then They Can Be Greatly Benefitted." He sold bottles of his elixir and gave consultations for the unheard sum of $25.00 — a good two months wages at that time.

Doc, as he was known, was something of a Fancy Dan. He had been indicted under questionable circumstances for the rape of Anne Vanderbeak, a hired girl who had worked for him back East in Cayuga County, New York. The sheriff who carried a warrant for his arrest could never locate his slippery quest.

At this time he had married a thin, hatchet-faced woman named Eliza Davison, the daughter of a prosperous New York farmer. Doc would only appear at her house at night, and by throwing pebbles at her window would gain entrance.

Doc was later to prove to be a con-artist, pitchman — cut from the same mold as the legendary P.T. Barnum. He revelled in his petty larcenies.

He bragged when he visited Indian Reservations with his buggy full of goods for sale. He pretended to be deaf and dumb. Knowing the Indian superstition that this was a sign of supernatural powers, the Indians surrendered what little monies they had. He then decided to become a Doctor of Patent Medicines.

Flim-flamming was his love and life style.

The Doc was over 6 feet tall, broad shouldered, and barrel-chested. He was famous for pitching woo — to all women. He could out-ride an Indian and shoot like Hawkeye. He was known to down a swallow in flight.

Eliza Davison never questioned her romantic and virile husband who would disappear for months upon end. When he did return, he had bundles of fives, tens, twenties, and fifties — all tied in packs of $1000.00 each, and always ready for lovemaking. She was always well cared for financially — having a new farm paid for in full with cash, the best buggy and excellent matching team of horses at her disposal.

Doc did not wear the homespun clothes of the average man, but wore a brocaded vest and a diamond stick-pin. He always stood for a round of drinks for everyone in taverns around the country, consequently, becoming the most popular man in each town he cared to visit. He distrusted banks and could always put his hands on large sums of money. David Dennis, a wealthy New Yorker, once claimed that he saw a cache of greenbacks carried by the Doctor that amounted into the tens of thousands of dollars — all corded like wood and the bundles tied up with twine. He further claimed no one knew how and where all the money came from, but no one really asked due to his over-generosity to each of them.

Eliza was different from her genial, meandering husband in almost every way. They had married quickly in 1836 after a brief courtship. She was always trying to explain the rumors that swirled constantly around the countryside about her philandering husband — the peculiar man she had married in an uncharacteristic fit of passion.

Eliza received an occasional letter between visits and knew of an address in Deadwood, South Dakota where he could be reached in an emergency. But, she went to her grave in 1889, a grass-widow.

Eliza did not name her first born son, William, after her husband, but after her father, John Davison. The Doctor's true name was William Avery Rockefeller. None other than the father of the billionaire founder of Standard Oil — John D. Rockefeller!

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